

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 1228

Short Title: Defense of Marriage.

(Public)

Sponsors: Senators Forrester, Smith; Allran, Apodaca, Berger of Rockingham, Bingham, Blake, Brock, Brown, East, Garwood, Goodall, Hartsell, Hunt, Jacumin, Miller, Pittenger, Presnell, Stevens, and Tillman.

Referred to: Rules and Operations of the Senate.

May 10, 2006

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CONSTITUTION TO PROVIDE THAT MARRIAGE IS
2 THE UNION OF ONE MAN AND ONE WOMAN AT ONE TIME, AND THIS IS
3 THE ONLY MARRIAGE THAT IS RECOGNIZED AS VALID IN THIS STATE.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 14 of the North Carolina Constitution is amended by
7 adding the following new section:

8 "**Sec. 6. Marriage.**

9 Marriage is the union of one man and one woman at one time. This is the only
10 marriage that shall be recognized as valid in this State. The uniting of two persons of the
11 same sex or the uniting of more than two persons of any sex in a marriage, civil union,
12 domestic partnership, or other similar relationship within or outside of this State shall
13 not be valid or recognized in this State. This Constitution shall not be construed to
14 require that marital status or the rights, privileges, benefits, or other legal incidents of
15 marriage be conferred upon unmarried individuals or groups."

16 **SECTION 2.** The amendment set out in Section 1 of this act shall be
17 submitted to the qualified voters of the State at the general election in November of
18 2006, which election shall be conducted under the laws then governing elections in the
19 State. Ballots, voting systems, or both may be used in accordance with Chapter 163 of
20 the General Statutes. The question to be used in the voting systems and ballots shall be:

21 FOR AGAINST

22 Constitutional amendment to provide that marriage is the union of one man
23 and one woman at one time, and this is the only marriage that shall be recognized as
24 valid in this State."

25 **SECTION 3.** If a majority of votes cast on the question are in favor of the
26 amendment set out in Section 1 of this act, the State Board of Elections shall certify the

1 amendment to the Secretary of State. The Secretary of State shall enroll the amendment
2 so certified among the permanent records of that office.

3 **SECTION 4.** The amendment set out in Section 1 of this act becomes
4 effective January 1, 2007.