



## Legislation Text

---

**File #:** Res 1331-2012, **Version:** \*

---

### Res. No. 1331

Resolution condemning the passage of Amendment 1 in the State of North Carolina.

By Council Members Rose, Chin, Eugene, Jackson, James, Koppell, Koslowitz, Lander, Lappin, Mark-Viverito, Mendez, Palma, Recchia, Vann and Rodriguez

Whereas, On May 8, 2012, North Carolina voters approved Amendment 1, which amended the state constitution to legally define marriage as the union between one man and one woman to the exclusion of all other definitions; and

Whereas, The ballot language for Amendment 1 read, “Marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State. This section does not prohibit a private party from entering into contracts with another private party; nor does this section prohibit courts from adjudicating the rights of private parties pursuant to such contracts”; and

Whereas, SB 514, the state bill which placed Amendment 1 on the ballot, was passed by the North Carolina House of Representatives on September 12, 2011 and by the North Carolina Senate on September 13, 2011; and

Whereas, Prior to the vote on May 8, 2012, North Carolina state law already defined marriage as being the union of a man and a woman; and

Whereas, In approving Amendment 1, the voters of North Carolina have banned the legal recognition of any other relationship agreement, including civil unions and domestic partnerships; and

Whereas, Before the passage of Amendment 1, North Carolina was the only southern state without a constitutional amendment limiting the legal recognition of marriage to two persons of different genders; and

Whereas, Several notable elected official have spoken out in opposition to Amendment 1, including

President Barack Obama, North Carolina Governor Bev Purdue, United States Senator Kay Hagan (D-NC), Congresswoman Renee Elmers (R-NC), and former President Bill Clinton; and

Whereas, The passage of Amendment 1 has robbed local municipalities in North Carolina, including the cities of Asheville, Chapel Hill, Orange, Durham, and Greenboro, of their previous ability to legally recognize domestic partnerships between unmarried couples; and

Whereas, In limiting legal recognition of relationships to married opposite-sex couples, Amendment 1 has eliminated a host of benefits, including health insurance and prescription drug coverage, for domestic partners and children of public employees; and

Whereas, Family law professors in North Carolina have expressed concern that Amendment 1's passage will threaten domestic violence protections, child custody agreements and hospital visitation rights for unmarried couples; and

Whereas, Same-sex couples are one of North Carolina's fastest growing demographic groups and, as of the 2010 Census, accounted for 27,250 North Carolinians; and

Whereas, Amendment 1 adversely affects heterosexual couples in North Carolina who have opted to enter into domestic partnerships instead of marriages; and

Whereas, The fallout from Amendment 1 has consequences for citizens in other states, including New York where legally married same-sex couples and couples in domestic partnerships will lose a myriad of rights and benefits in the event that they relocate to North Carolina; and

Whereas, The passage of Amendment 1 enshrines discrimination in the North Carolina state constitution and subjects the rights of a minority to the will of the majority; and

Whereas, It is imperative that every American enjoy the same rights as his or her peers, no matter his or her home state or sexual orientation; and

Whereas, The Council stands in solidarity with members of North Carolina's communities that have been adversely affected by this discriminatory amendment; now, therefore, be it

Resolved, That the Council of the City of New York condemns the passage of Amendment 1 in the State of North Carolina.

DMB  
LS# 3613  
5/8/12