

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 55**

Short Title: Defense of Marriage.

(Public)

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Sponsors: Representatives Moore, Hill, Crawford, Barnhart (Primary Sponsors); Allred, Almond Jr., Blackwood, Blust, Brown, Brubaker, Capps, Clary, Cleveland, Cole, Culp, Current Sr., Daughtridge, Daughtry, Dockham, Dollar, Eddins, England, Folwell, Frye, Gibson, Gillespie, Gulley, Hilton, Hollo, Holloway, Holmes, Howard, Johnson, Justice, Justus, Kiser, Langdon, LaRoque, Lewis, McAllister, McGee, McMahan, Nye, Pate, Preston, Ray, Rayfield, Rhodes, Sauls, Setzer, Stam, Starnes, Steen, Stiller, Vinson, Walend, Walker, West, Wiley, Williams, Wilson, and Wray.

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Referred to: Judiciary I.

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February 3, 2005

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 The General Assembly of North Carolina enacts:

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

7 "Sec. 6. Marriage. Marriage is the union of one man and one woman at one time.  
8 This is the only marriage that shall be recognized as valid in this State. The uniting of  
9 two persons of the same sex or the uniting of more than two persons of any sex in a  
10 marriage, civil union, domestic partnership, or other similar relationship within or  
11 outside of this State shall not be valid or recognized in this State. This constitution shall  
12 not be construed to require that marital status or the rights, privileges, benefits, or other  
13 legal incidents of marriage be conferred upon unmarried individuals or groups."

14 **SECTION 2.** The amendment set out in Section 1 of this act shall be  
15 submitted to the qualified voters of the State at a statewide election to be held  
16 November 8, 2005, which election shall be conducted under the laws then governing  
17 elections in the State. Ballots, voting systems, or both may be used in accordance with  
18 Chapter 163 of the General Statutes. The question to be used in the voting systems and  
19 ballots shall be:

20  FOR       AGAINST  
21

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

4           **SECTION 3.** If a majority of votes cast on the question are in favor of the  
5 amendment set out in Section 1 of this act, the State Board of Elections shall certify the  
6 amendment to the Secretary of State. The Secretary of State shall enroll the amendment  
7 so certified among the permanent records of that office. The amendment set out in  
8 Section 1 of this act becomes effective January 1, 2006.

9           **SECTION 4.** This act is effective when it becomes law.