

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**SENATE BILL 8**

Short Title: Defense of Marriage. (Public)

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

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Referred to: Ways and Means.

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January 31, 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.  
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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.** Marriage is the union of one man and one woman at one time.  
9 This is the only marriage that shall be recognized as valid in this State. The uniting of  
10 two persons of the same sex or the uniting of more than two persons of any sex in a  
11 marriage, civil union, domestic partnership, or other similar relationship within or  
12 outside of this State shall not be valid or recognized in this State. This Constitution shall  
13 not be construed to require that marital status or the rights, privileges, benefits, or other  
14 legal incidents of marriage be conferred upon unmarried individuals or groups."

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

20 "[ ] FOR [ ] AGAINST

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

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

- 1 so certified among the permanent records of that office. The amendment set out in  
2 Section 1 of this act shall become effective July 1, 2006.