

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1323

Short Title: Repeal Cohabitation Law. (Public)

Sponsors: Representative Wright.

Referred to: Judiciary II.

April 5, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL THE LAW THAT PROHIBITS COHABITATION IN THIS
3 STATE.

4 Whereas, the law prohibiting cohabitation in this State was enacted in 1805;
5 and

6 Whereas, North Carolina is one of seven states with laws still prohibiting
7 cohabitation; and

8 Whereas, pursuant to a lawsuit filed in Pender County in 2005, the judge
9 ruled that the "201-year-old" law barring unmarried couples from living together is
10 unconstitutional because it violates an individual's right to liberty under the U.S.
11 Supreme Court decision in *Lawrence v. Texas*; and

12 Whereas, the ruling in Pender County does not have statewide application;
13 and

14 Whereas, the law prohibiting cohabitation in this State is rarely enforced, and
15 when enforced, it is used primarily in domestic cases by an estranged spouse; and

16 Whereas, approximately 144,000 unmarried couples currently live together in
17 this State; Now, therefore,

18 The General Assembly of North Carolina enacts:

19 **SECTION 1.** G.S. 14-184 is repealed.

20 **SECTION 2.** This act is effective when it becomes law.