



Remove the Statutory Prohibitions on Same-Sex Marriages
Support SB 3 and HB 75

WHAT THE BILL DOES:

- This bill repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage.

THE FACTS:

- Due to the U.S. Supreme Court's landmark decision in *Obergefell v. Hodges*, these prohibitions are no longer valid.
- In *Obergefell v. Hodges*, the Supreme Court held that the Constitution does not permit the state to bar same-sex couples from marriage on the same terms as accorded to couples of the opposite sex. ¹
- The court further held that the right to marriage was a constitutional right under the Due Process Clause and the Equal Protection Clause of the Fourteenth Amendment. ²

WHY WE SUPPORT IT:

- Virginia's current statutory prohibitions on same-sex marriage and civil unions are no longer good law under the Supreme Court's holding in *Obergefell v. Hodges*.
- The current prohibitions must be repealed so that same-sex couples may enjoy the right to marriage guaranteed in the United States Constitution.

Equality Virginia is a statewide, non-partisan advocacy, outreach, and education organization leading the Commonwealth toward equality for lesbian, gay, bisexual, and transgender Virginians.