

Resolution No. \_\_\_\_\_

A resolution regarding marriage and workplace equality in Dallas, Texas.

WHEREAS, the U.S. Supreme Court has held more than a dozen times that marriage is a key right of the American people and in the 1967 landmark case *Loving v. Virginia* wrote, “Marriage is one of the ‘basic civil rights of man,’ fundamental to our very existence and survival”; and

WHEREAS, the Texas Constitutional Bill of Rights in Article I, Section 3 states “all free men, when they form a social compact, have equal rights, and no man, or set or men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services”;

WHEREAS, the Texas Constitutional Marriage Amendment appears as Article I, Section 32 of the Texas Constitution Bill of Rights and undermines Article I, Section 3 of the Bill of Rights by denying equal rights to a specific group of Texans; and

WHEREAS, recent polls show that allowing same-sex couples to marry is now supported by a majority of Americans and in 2010 a University of Texas/Texas Tribune poll showed that 63% of Texans now support some form of legal recognition for same-sex couples, either marriage or civil unions, thereby demonstrating a major shift in public opinion on this subject among Americans, and Texans in particular, since the Texas Constitution Marriage Amendment was adopted in 2005; and

WHEREAS, the Dallas Morning News editorial board has publicly stated, “We urge the Supreme Court to affirm the right of gay couples to marry based upon the fundamental American ideal of equality before the law”; and

WHEREAS, in the matter of *Hollingsworth v. Perry*, the Supreme Court made the historic decision that dismissed an appeal over Prop. 8 (a voter-approved ban on same-sex marriage in the state of California) with the ruling that provides same-sex marriages are once again legal in the state of California; and

WHEREAS, in the matter of the *United States v. Windsor*, the Supreme Court made the historic decision that the Defense of Marriage Act (DOMA) violates the equal protection clause of the U.S. Constitution and legally married same-sex couples must now be treated equally under federal laws; and

WHEREAS, the City of Dallas (hereinafter “the City”) proudly embraces the diversity of all its residents;

WHEREAS, the City has offered same sex partner health benefits since 2004; and

WHEREAS, the City has adopted a series of non-discrimination ordinances in the areas of housing, public accommodation, and employment, grounded in a policy that is established upon a recognition of the inalienable rights of each individual to obtain housing, to obtain goods and services in a public accommodation, and to work to earn wages and obtain a share of the wealth

of this City through gainful employment, without regard to race, color, creed, religion, sex, national origin, disability, student status, marital status, familial status, sexual orientation, gender identity, or age; and

WHEREAS, the City recognizes that the denial of such rights through considerations based on race, color, creed, religion, sex, national origin, disability, student status, marital status, familial status, sexual orientation, gender identity, or age, is detrimental to the health, safety and welfare of the inhabitants of the City and constitutes an unjust denial or deprivation of such inalienable rights which is within the power and the proper responsibility of the government to prevent; and

WHEREAS, further to these ends, on May 8, 2002, the City of Dallas passed Ordinance No. 24927 (the "Ordinance"), to enact a non-discrimination ordinance that prohibits discrimination in public accommodations and employment based on sexual orientation, the Ordinance amending Chapter 15B of, and adding Chapter 46 to, the Dallas City Code "to prohibit discrimination on the basis of sexual orientation in City of Dallas contracts; to prohibit discrimination on the basis of sexual orientation in the areas of employment, housing, and public accommodations; to provide a complaint, investigation, conciliation, and enforcement process; to provide exceptions; to define terms; and to provide a criminal penalty of not less than \$200 or more than \$500"; and

WHEREAS, marriage provides legal and economic protections including access to health care, parenting rights, property rights, and other protections which are vital to the safety and security of every family; and

WHEREAS, marriage is a powerful and important affirmation of love and commitment and a source of social support and recognition; and

WHEREAS, all couples in loving and committed relationships should be given the opportunity to create stronger and more successful families through civil marriage; and

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS, that we support marriage and workplace equality in Dallas and beyond.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

---