

THE LAW | The Marriage Affirmation Act | formerly HB 751

§ 20-45.3 Civil unions between persons of same sex.

A civil union, partnership contract, or other arrangement between persons of the same sex purporting to bestow the privileges or obligations of marriage is **prohibited**. Any such civil union, partnership contract or other arrangement entered into by persons of the same sex in another state or jurisdiction shall be void in all respects in Virginia and any contractual rights created thereby shall be **void and unenforceable**.

THE ISSUE

§20-45.3 sets into motion a precedent that affects all people's civil liberties. This statute goes beyond just marriage issues. **§20-45.3** addresses contractual issues and contractual relationships between people of the same sex.

The specific "privileges and obligations of marriage" are not defined in this law; however, according to the federal government, there are more than 1,100 benefits of marriage. **§20-45.3** thereby affects same-sex Virginian couples with respect to: **medical directives, child custody, powers of attorney, insurance, taxes, joint bank accounts, property rights, mutual wills and inheritance.**

Gov. Mark Warner attempted to weaken HB751, stating to the Associated Press on April 16, 2004: *"The ramifications of this could be enormous in terms of their ability to break apart business partnerships. It would move Virginia so far out of the mainstream that that's not where I think we ought to be."* Despite the governor's amendments, both Virginia houses passed the original broad language of the bill into law just five days later by a two-thirds majority.

WHAT ARE THE CONSEQUENCES OF THIS LAW?

- Legislators, with strong bi-partisan majorities, have dehumanized and demonized their Gay, Lesbian, Bisexual, Transgendered (GLBT) constituents, and have effectively rendered them **unequal** under the law.
- **Private contracts** created between two individuals of the same sex could become null and void in Virginia.
- Law-abiding citizens who pay the **same taxes** are denied the **same rights**.

THE BOTTOM LINE

GLBT Virginians may be unable to contract and take care of each other, their families and themselves.

THE FIGHT (for equality)

The legislators intend to take **§20-45.3** a step further and write discrimination into the **VIRGINIA CONSTITUTION** by prohibiting marriage equality, domestic partnerships, civil unions or other legal recognition for gay and lesbian couples. (HJ586/SJ337)

This proposed measure is modeled roughly after constitutional amendments in Ohio and Michigan. In Michigan, the new amendment has resulted in the end of a popular domestic partner health plan for state and local employees, and in Ohio, several domestic violence charges have been dismissed because of their new law (if your relationship isn't recognized, it can't be domestic violence).

In Richmond, February 2005, the amendment passed both houses with strong majorities. In order to amend the constitution, an identical version of the proposed measure must pass in the 2006 session before going to a state-wide voter referendum, possibly in the fall of 2006.

THERE IS WORK TO BE DONE. NOW!

The battle against this specific legislation in Virginia, and similar legislation across the country, continues.

Barbara and Tibby provide a very real glimpse into the misunderstood "lifestyle" of GLBT America, and by doing so, they put a face on the law's oppression and its far-reaching consequences.

PLEASE SUPPORT THE FIGHT FOR EQUALITY.

- View this video and directly witness the impact of this law.
- While this video relates to a Virginia law, it's important for all Americans to know about the extent of this oppression. Other states in the nation are following the same path – learn the policies of your state and promote informed discussions.
- Share this important story with others: friends, family, and especially voters in Virginia. Time is of the essence. Please see order form ⇨
- Set up a public screening in your community. Tips and "Suggested Ideas for Setting Up a Public Screening" are available at: www.sumoe.com/other_art/lovestory.html
- Find out about EQUALITY VIRGINIA - an important organization that lobbies for GLBT rights in Virginia (www.equalityvirginia.org). *"Seeking Equality for All Virginians"*

★ **A LOVE STORY - IN THE FACE OF HATE** takes us through some of the triumphs and tragedies Barbara and Tibby have endured in order to share a deep and private love.

★ This couple puts a disarmingly human face on the Virginia law and the far-reaching consequences of oppression.

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