COMMITTEE REPORT

March 23, 2016

**S. 31**

Introduced by Senators Grooms and Verdin

S. Printed 3/23/16--S.

Read the first time January 13, 2015.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Concurrent Resolution (S. 31) to make application by the State of South Carolina under Article V of the United States Constitution for a convention of the states to be called restricted to propose an amendment, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the concurrent resolution, as and if amended, by striking it in its entirety and inserting therein the following:

/ A CONCURRENT RESOLUTION

TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED RESTRICTED TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION ESTABLISHING THAT THE SEVERAL STATES SHALL HAVE THE EXCLUSIVE AND SOVEREIGN AUTHORITY TO DEFINE AND REGULATE MARRIAGE, AND THE DISSOLUTION THEREOF, WITHIN THEIR BORDERS.

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States establishing that the several states shall have the exclusive and sovereign authority to define and regulate marriage, and the dissolution thereof, within their borders.

Be it further resolved that copies of this application shall be transmitted to the President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the members of the United States Senate and the United States House of Representatives from this State. /

Renumber sections to conform.

Amend title to conform.

Majority favorable. Minority unfavorable.

A. SHANE MASSEY BRAD HUTTO

For Majority. For Minority.

**A** **CONCURRENT RESOLUTION**

TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED RESTRICTED TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO ESTABLISH THAT MARRIAGE IN THE UNITED STATES SHALL CONSIST ONLY OF THE UNION OF A MAN AND A WOMAN.

Whereas, marriage has long been defined by relationships between men and women. The tradition is measured in millennia, not centuries or decades.

Whereas, marriage being defined as a union between a man and a woman has, until recently, been adopted by all governments and every major religion in the world.

Whereas, opponents of the traditional, sacred definition of marriage as union of a man and woman have gone to court to force their contrary view upon the majority of Americans;

Whereas, federal courts have reached differing decisions about whether to establish by judicial fiat the constitutional right for same-sex couples to be recognized as married even though a clear majority of the states in the Union have determined otherwise;

Whereas, the authority to make a decision concerning the definition of marriage does not lie with federal judges, but rather with the citizens of this Nation, acting by and through their elected representatives. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States establishing that marriage in the United States shall consist only of a man and woman; and further stating that neither the United States Constitution, nor the constitution of any state, shall be construed to require that marriage or legal incidents thereof be conferred upon any union other than the union of a man and a woman.

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