



Resolution calling for the repeal of HB2, the Public Facilities Privacy & Security Act enacted as S.L. 2016-3.

WHEREAS, on February 22, 2016, the Charlotte City Council approved a local ordinance that added marital status, familial status, sexual orientation, gender identity, and gender expression to its list of categories protected from discrimination in city contracting and public accommodations; and

WHEREAS, on March 23, 2016, in response to the Charlotte ordinance, the North Carolina General Assembly in special session ratified and Governor Pat McCrory signed House Bill 2 (Session Law 2016-3), the Public Facilities Privacy & Security Act; and

WHEREAS, House Bill 2 appears to repeal the Charlotte ordinance by establishing new statewide standards for what constitutes discriminatory practice in employment and public accommodations; and by establishing new statewide requirements for bathrooms and changing facilities in all public agencies, including schools raising a possible conflict with Title IX and resulting loss of federal funds; and

WHEREAS, the omission of sexual orientation, gender identity, gender expression, and other categories from the statewide list of categories protected from discrimination appears to prohibit local governments from offering these protections to their residents; and

WHEREAS, the legislation also appears to deny the right of any person to bring a civil action in a North Carolina court for a claim of discrimination in employment or public accommodations on account of race, religion, color, national origin, age, and biological sex (as well as handicap for employment only) and would require such claims to be filed in federal court; and

WHEREAS, the legislation is inconsistent with the Equal Protection Clause of the United States Constitution, Title VII and Title IX of the Civil Rights Act of 1964 as amended,

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. AAUW of North Carolina reaffirms its support for protecting and advancing the constitutional rights and equitable treatment of all residents of the state.

SECTION 2. AAUW of North Carolina urges the North Carolina General Assembly to repeal House Bill 2 at the earliest opportunity.

SECTION 3. AAUW of North Carolina urges its members to send copies of this resolution to their members of the NC General Assembly and to the Governor.

SECTION 4. AAUW of North Carolina urges its board to recommend that the AAUW national board change the AAUW diversity statement as soon as possible to include gender identity and gender expression.

Approved by AAUW of North Carolina, April 2, 2016

