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HR-39 (2017-2018)

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REVISED JUNE 12, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

HOUSE RESOLUTION

NO. 39

Introduced by Assembly Member McCarty

(Coauthors: Assembly Members Acosta, Aguiar-Curry, Travis Allen, Baker, Berman, Bigelow, Bloom, Bocanegra, Bonta, Brough, Burke, Caballero, Cervantes, Chau, Chávez, Chiu, Choi, Chu, Cooley, Cooper, Cunningham, Dahle, Daly, Flora, Fong, Frazier, Friedman, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gonzalez Fletcher, Gray, Grayson, Harper, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Levine, Limón, Low, Maienschein, Mathis, Mayes, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, O'Donnell, Quirk, Quirk-Silva, Rendon, Reyes, Ridley-Thomas, Rodriguez, Rubio, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Voepel, Waldron, Weber, and Wood)

May 09, 2017

Relative to Loving Day.

LEGISLATIVE COUNSEL'S DIGEST

HR 39, as introduced, McCarty.

WHEREAS, Mildred and Richard Loving were an interracial couple who were married in Washington, D.C., in 1958, but were banned from marrying in their home state of Virginia, where interracial marriage was illegal at the time; and

WHEREAS, The Lovings eventually challenged this ruling; their case was eventually taken up by the American Civil Liberties Union and went through many levels of the justice system before the United States Supreme Court unanimously decided in 1967 that the Lovings' marriage should be upheld in all states; and

WHEREAS, At the time of the Loving decision, 16 states had laws banning interracial marriage and the Loving decision made it illegal for these states to enforce those laws; and

WHEREAS, Loving Day was founded in 2004, and has since garnered support from thousands of people domestically and internationally, and from organizations and publications; and

WHEREAS, Loving Day celebrations aim to create a common connection between multicultural communities, groups, and individuals; and

WHEREAS, Loving Day's mission is to fight racial prejudice, promote tolerance, awareness, and understanding through education, and foster supportive multicultural communities; and

WHEREAS, Loving Day seeks to commemorate and celebrate the United States Supreme Court's 1967 ruling, keeping its importance fresh in the minds of a generation that has grown up with interracial relationships being legal, as well as to explore issues facing couples currently in interracial relationships; and

WHEREAS, California has led the marriage equality movement, beginning 60 years ago, by striking down laws prohibiting marriage between interracial couples (*Perez v. Sharp* (1948) 32 Cal.2d 711); and

WHEREAS, The county clerk who denied Andrea Perez and Sylvester Davis a marriage license in 1947 applied Sections 60 and 69 of the Civil Code; and

WHEREAS, Section 69 of the Civil Code provided that "no license may be issued authorizing the marriage of a white person with a Negro, mulatto, Mongolian or member of the Malay race"; and

WHEREAS, On October 1, 1948, the California Supreme Court ruled in Andrea and Sylvester's favor by a 4-3 vote; and

WHEREAS, California became the first court in the 20th century to strike down an antimiscegenation law; and

WHEREAS, The California State Assembly has a history of supporting movements and legislation that celebrate the diversity and equality of all persons; and

WHEREAS, We are now moving forward in the 21st century as a multiracial and multicultural society and realize that we must find a common vision from our interwoven past to build a society free of racism for the benefit of our collective future; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly designates Monday, June 12, 2017, as Loving Day, to be observed as the official commemoration of the landmark United States Supreme Court decision, *Loving v. Virginia* (1967) 388 U.S. 1, which legalized interracial marriage in the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker and Minority Leader of the United States House of Representatives, to the Majority Leader and Minority Leader of the United States Senate, to each member of the California delegation to the United States Congress, and to the Governor of California.

REVISIONS:

Heading—Line 2.
