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HR-34 (2019-2020)

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

HOUSE RESOLUTION

NO. 34

Introduced by Assembly Member McCarty

May 02, 2019

Relative to Loving Day.

LEGISLATIVE COUNSEL'S DIGEST

HR 34, as introduced, McCarty.

WHEREAS, Mildred and Richard Loving were an interracial couple who were married in Washington, D.C., in 1958, but banned from 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 Loving's marriage should be upheld in all states; and

WHEREAS, At the time of the Loving decision, 16 states had laws banning interracial couples 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, organizations, and publications; and

WHEREAS, The 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 explore issues facing couples currently in interracial relationships; and

WHEREAS, California has led the marriage equality movement, beginning 61 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 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 Tuesday, June 12, 2019, be observed as the official commemoration of the landmark Supreme Court decision, Loving v. Virginia (1967) 388 U.S. 1, which legalized interracial marriage in the United States and celebrated as Loving Day; and be it further

Resolved, That the Chief Clerk of the Assembly provide copies of this resolution to the author for appropriate distribution.