

Dear Chairman Larson and Members of the Senate Judiciary Committee,

**I am writing to express my strong opposition to House Concurrent Resolution No. 3013**, which urges the United States Supreme Court to overturn *Obergefell v. Hodges* and redefine marriage exclusively as a union between one man and one woman.

First and foremost, while some proponents of this resolution cite religious texts, such as the Bible, as justification, the United States is a secular nation. Our Constitution clearly separates church and state, ensuring that religious doctrine does not dictate civil law. No religious institution is required to recognize or perform same-sex marriages, yet many do. The First Amendment guarantees freedom of religion—not just for those who oppose same-sex marriage, but also for those who support it. The government should not impose a singular religious perspective on all citizens, particularly when marriage is a legal contract that carries significant civil rights and protections.

Additionally, reference was made to Article XI of the North Dakota Constitution from 1889, which declared that “only the union of one man and one woman shall be recognized as a marriage.” However, laws and constitutional provisions evolve to reflect our nation’s growing understanding of rights and justice. In 1889, women could not vote, segregation was legal, and interracial marriage was widely prohibited. Using historical precedent as justification for modern discrimination ignores the progress our society has made in ensuring equal protection under the law. The U.S. Constitution guarantees the pursuit of happiness, and the Fourteenth Amendment explicitly protects individuals from discrimination by the states. It is for this reason that *Obergefell v. Hodges* correctly determined that bans on same-sex marriage violate the Equal Protection and Due Process Clauses.

Another argument presented in favor of this resolution is that marriage exists solely for procreation and that only a husband and wife can have children. This claim is factually incorrect. Many heterosexual couples cannot or choose not to have children, yet their marriages are not considered invalid. Likewise, same-sex couples have and raise children through adoption, surrogacy, and other means. To suggest that only certain unions are legitimate based on the ability to biologically reproduce is not only inaccurate but also deeply dismissive of the many families in North Dakota and across the country who do not fit this narrow definition.

Marriage is not simply about reproduction—it is about love, commitment, and legal protections that help families thrive. Denying same-sex couples the right to marry would inflict real harm by stripping away essential rights related to healthcare, inheritance, and parental recognition, among many others.

In conclusion, **I strongly urge you to oppose HCR 3013**. We should not be seeking to strip rights away from law-abiding citizens, nor should we allow outdated or religious arguments to dictate civil law in a country that values freedom, equality, and justice for all.

Thank you for your time and consideration.

Sincerely,

Kara Geiger  
Mandan