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HOUSE JOINT RESOLUTION NO. 546

Offered January 14, 2015

Prefiled January 5, 2015

Requesting the Boyd-Graves Conference and the Virginia Criminal Justice Conference to study how to revise the Code of Virginia in light of the Bostic v. Rainey decision. Report.

Patrons—Sullivan, Hester, Murphy, Sickles and Simon

Referred to Committee on Rules

WHEREAS, the decision in *Bostic v. Rainey*, 970 F.Supp.2d 456 (E.D. Va. 2014), *cert. denied*, 83 U.S.L.W. 3189 (U.S. Oct. 6, 2014), struck down Virginia's ban on same-sex marriage; and

WHEREAS, the Code of Virginia contains numerous gender-specific references that are possibly affected by this decision; and

WHEREAS, there are over 65 references to "husband" and over 60 references to "wife" in the Code of Virginia; and

WHEREAS, there are over 60 references to "father" and over 70 references to "mother" in the Code of Virginia; and

WHEREAS, there are over 10 references to "paternal" or "maternal" in the Code of Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Boyd-Graves Conference and the Virginia Criminal Justice Conference hereby be requested to study how to revise the Code of Virginia in light of the *Bostic v. Rainey* decision by reviewing the use of the gender-specific terms in the Code of Virginia that are affected by this decision.

In conducting its study, the Boyd-Graves Conference and the Virginia Criminal Justice Conference shall review Code of Virginia references to "husband" and "wife," "father" and "mother," and "paternal" and "maternal" and determine what if any changes should be made to the terms as used in the Code of Virginia in light of the *Bostic v. Rainey* decision.

All agencies of the Commonwealth shall provide assistance to the Boyd-Graves Conference and the Virginia Criminal Justice Conference for this study, upon request.

The Boyd-Graves Conference and the Virginia Criminal Justice Conference are requested to complete their meetings by November 30, 2015, and to submit to the Chairs of the House and Senate Courts of Justice Committees an executive summary of their findings and recommendations no later than the first day of the 2016 Regular Session of the General Assembly.

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