

## **Statement on Session Law 2016-3, Known as House Bill 2**

Hillsborough town leaders issued the following statement April 4 on the Public Facilities Privacy and Security Act, which was passed by the N.C. General Assembly and signed by Gov. Pat McCrory on March 23:

Hillsborough prides itself on being a welcoming community for individuals and families of all orientations and identities. “Celebrating our cultural diversity” is one of this historic town’s core values, proclaimed on banners visible on our main streets.

As town officials, we are opposed to discrimination in all forms. It is wrong. We have seen firsthand that public policy promoting diversity and inclusion increases economic vitality, while exclusionary practices put economic investment in our local communities and our state at risk.

In February, 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. In response to that ordinance, the North Carolina General Assembly in a special session ratified — and Gov. McCrory signed — House Bill 2 (Session Law 2016-3), the Public Facilities Privacy and Security Act.

House Bill 2 nullifies the Charlotte ordinance and all other local government non-discrimination ordinances throughout North Carolina by establishing new statewide standards for what constitutes discriminatory practice both in employment and public accommodations. House Bill 2 also establishes ill-advised statewide requirements for use of bathrooms and changing facilities in all public agencies, including schools.

Lawmakers intentionally excluded sexual orientation, gender identity, gender expression, and veteran status from the statewide list of categories protected from discrimination in public accommodations. Furthermore, the General Assembly has prohibited local governments from offering these protections to their residents.

The governor and supporting lawmakers have continuously defended the legislation, and its extraordinarily quick enactment, as necessary to protect women and children from an “extreme agenda to force women and young girls to welcome grown men into their bathrooms and locker rooms.” These kind of statements that perpetuate myths and fears about lesbian, gay, bisexual and transgender people have no basis in fact. If anything, HB2 puts transgender people in greater danger by legislating inappropriately which bathroom they must use.

In addition, and of major significance, HB2 legislation appears to eliminate the right of any person to bring 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, veteran status, or biological sex (as well as handicap for employment only). House Bill 2 legislation also appears inconsistent with the Equal Protection Clause of the United States Constitution, which provides that no state shall deny to any person within its jurisdiction the equal protection of the laws.

By enacting House Bill 2, our state's political leaders have taken extreme measures to diminish the legislative authority of local governments and have once again used the State of North Carolina to codify discrimination and division rather than to advance the rights and dignity of all North Carolinians. This has damaged North Carolina's reputation, subjecting the state to scorn with significant economic ramifications.

We, the Hillsborough Board of Commissioners, reaffirm our belief in the dignity of all people, our support for protecting and advancing the constitutional rights and equitable treatment of all residents, and our opposition to discrimination and prejudice of all kinds.

We urge the North Carolina General Assembly to repeal House Bill 2 with deliberate speed.

We thank and encourage all Hillsborough citizens and businesses that exemplify the practice of inclusive welcome to all.

Tom Stevens, mayor  
Kathleen Ferguson, mayor pro tem  
Mark Bell, commissioner  
Evelyn Lloyd, commissioner  
Brian Lowen, commissioner  
Jenn Weaver, commissioner