117TH CONGRESS
2D SESSION

H. R. 8396

To protect the constitutional right to marry a person of another race, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2022

Ms. OCASIO-CORTEZ introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To protect the constitutional right to marry a person of another race, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Loving v. Virginia

5 Codification Act of 2022".

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In Loving v. Virginia (388 U.S. 1 (1967)),

9 the United States Supreme Court stated "Marriage

10 is one of the 'basic civil rights of man'".

1   (2) In Loving v. Virginia (388 U.S. 1 (1967)),
2   the United States Supreme Court stated "Under the
3   Constitution, the freedom to marry or not marry a
4   person of another race resides with the individual
5   and cannot be infringed by the State".

SEC. 3. PROTECTION OF RIGHT TO MARRY.

7   (a) IN GENERAL.—A State may not enact a law or
8   regulation that infringes on the right to marry or not
9   marry a person of another race.

10   (b) ENFORCEMENT BY ATTORNEY GENERAL.—The
11   Attorney General may commence a civil action on behalf
12   of the United States against any State that violates, or
13   against any government official that implements or en-
14   forces a law or regulation that violates subsection (a). The
15   court shall hold unlawful and set aside the law or regula-
16   tion if it is in violation of subsection (a).

17   (c) PRIVATE RIGHT OF ACTION.—A violation of sub-
18   section (a) constitutes a deprivation of any rights, privi-
19   leges, or immunities secured by the Constitution and laws
20   for purposes of section 1979 of the Revised Statutes of
21   the United States (42 U.S.C. 1983), and a person injured
22   thereby may bring an action under such section.

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