

## HB 2 Announcement

- I. We should not even be here today. But we are.
  - A. We are here because the Governor has signed state-wide legislation that puts discrimination into the law.
    - 1. Obviously, the LGBT community is targeted, but also people who are discriminated against based on race or religion and other classes of people could likely have a harder time bringing an action to protect themselves.
    - 2. The law even eliminates local ordinances that protect veterans and the wages of working people employed by companies that contract with cities.
  - B. Not only is this new law a national embarrassment, it will set North Carolina's economy back, if we don't repeal it.
    - 1. And that means there will be a negative impact on innocent people who work hard every day and pay taxes.
    - 2. They don't deserve to lose money because of this. They deserve better.
  - C. We know that businesses here and all over the country have taken strong stances in opposition to this law and that convention and sporting event organizers are rethinking their plans.
  - D. The threats to our economy will grow even darker the longer this law stays in effect.
- II. It will also cause a flood of litigation – the first case having been filed yesterday.
  - A. Over the last 15 years, our office has defended the state, its officials and agencies when they are sued. Our office will continue to do that, except it will not defend the constitutionality of the discrimination in HB 2.
  - B. The reason is this.
  - C. Since 2001, my office has had its own non-discrimination policy that includes, along with other protections, marital status and sexual orientation – two classes not protected by the state.
  - D. I believed in 2001, when we adopted it, and I believe now that our policy is not only the right thing to do, but it is a necessary and vital signal to send as we recruit and retain the best and brightest employees here.

1. Many of the top law firms in our state provide these protections and we needed to as well.
2. I made a promise. Employees who get the job done here should be welcomed without fear of discrimination.
3. HB 2 is in direct conflict with our policy here at the N. C. Department of Justice.
4. HB 2 is also in direct conflict with the policy of the State Treasurers Office which has a non-discrimination policy similar to ours.
5. The Treasurers Office has asked us to represent them in defense of their policy.
6. In order to protect our non-discrimination policy and employees, along with those of our client, the State Treasurers Office, part of our argument will be that HB 2 is unconstitutional.
7. Therefore, our office will not represent the defendants in this lawsuit nor future lawsuits involving the constitutionality of HB 2.
8. Of course, the defendants in these lawsuits deserve a defense.
  - a. The University and the Board of Governors have hired outside attorneys in the past and we will encourage them to do so here.
  - b. In addition, the Governor has not hesitated to hire his own attorneys and we would assume he would want to do that again in this case.
  - c. Furthermore, the Legislature has passed a law granting legislative leaders the authority to hire outside counsel and intervene in these kinds of cases.

III. But the fact is we shouldn't have to be dealing with these lawsuits in the first place.

- A. This shameful new law has brought them upon us.
- B. Discrimination is wrong, period.
- C. The Governor and the Legislature should repeal this law.
- D. Repeal will save needless litigation costs and will begin to repair our national reputation.

- E. Every day working people are already struggling in North Carolina's economy and this law will hurt them even more. Swift action is required to keep our state and our citizens from losing money.
- F. Conservative Republican Governor Nathan Deal of Georgia was recently presented with a discrimination law passed by his legislature.
  - 1. He saw what happened in Indiana when that state passed laws that discriminate.
  - 2. He saw that Indiana lost business and millions of dollars in revenue hurting every day working people there.
  - 3. Governor Deal didn't want that for his state. He just stepped up yesterday and vetoed this law that would have allowed discrimination in Georgia because he knew it would hurt Georgia's economy.
  - 4. Our Governor should have done the same thing and vetoed HB 2. But he did not. Considering what is happening, I believe he must now call for and work with the Legislature to repeal it. I'll work with all of them to get that done.
- IV. It's time to do the right thing for the good of our people, our economy and our state.