



The State of LGBTQ+ Marriage Equality in the States

In Justice Clarence Thomas' opinion supporting overturning *Roe v. Wade*, he opened the door for overturning other precedents including *Obergefell v. Hodges* and *Lawrence v. Texas*. If the Supreme Court overturns these landmark decisions, marriage equality and protections for same-sex relationships would again be determined by where a person lives and their state's laws. State Democrats have protected marriage equality and led non-discrimination measures in the face of state Republicans' rhetoric and policies of hatred, bigotry, and discrimination against the LGBTQ+ community.

If *Obergefell* is overturned...

- 32 states still have statutes or constitutional amendments on the books that could threaten marriage equality.
 - Among these states, Arizona, Colorado, and Michigan are DLCC targets this cycle.
- About 205 million Americans live in states where marriage equality could become illegal if the Supreme Court overturns *Obergefell*.

State Democrats Standing up for Equality

- 18 states would likely uphold marriage equality if the Supreme Court overturns *Obergefell*, largely thanks to the actions of state Democrats.
- Before *Obergefell*, Democrats in state legislatures led the way in 11 states to legalize and codify marriage equality either through direct legislative action or through a voter referendum set in motion by a legislature.
- Since *Obergefell*, Democrats have also helped codify marriage equality in [New Jersey](#) law and in [Nevada's](#) constitution.

State Republican Efforts to Undermine Equality

- In February 2022, Virginia Republicans [blocked](#) Democrats' efforts to repeal the anti-same-sex marriage amendment in the state constitution, leaving the state vulnerable if the Supreme Court overturns *Obergefell*.
- In 2020, four Republicans in the [Colorado](#) House introduced a bill to ban same-sex marriage equality "regardless of judicial decisions to the contrary."
- In 2022, Republicans in the [Tennessee](#) legislature advanced an anti-LGBTQ+ bill that would create a new marriage contract in the state that would be exclusive to opposite-sex couples. A state senate committee reported favorably on the bill, but the state house [did not take](#) action before the end of the session.

Marriage Equality is Popular Among Voters

- In June 2022, Gallup [found](#) that public support for marriage equality had reached a new high of 71%.