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HB 1268/96 - JUD

1997 Regular Session
7lr1674

By: Delegates E. Burns, Kelly, Owings, Proctor, DeCarlo, D. Murphy, O'Donnell, Bissett, Exum, Branch, C. Mitchell, Minnick, M. Burns, Ports, and Redmer

Introduced and read first time: January 24, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Same Sex Marriages - Foreign Jurisdictions - Invalidity**

3 FOR the purpose of providing that a marriage between two individuals of the same sex
4 that is validly entered into in another state or in a foreign country is not valid in this
5 State; altering the definition of a "foreign marriage"; declaring that marriages
6 between individuals of the same sex are against the public policy of this State; and
7 generally relating to the validity of certain marriages in the State.

8 BY repealing and reenacting, with amendments,
9 Article - Family Law
10 Section 2-201 and 2-502(a)
11 Annotated Code of Maryland
12 (1991 Replacement Volume and 1996 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Family Law**

16 2-201.

17 (A) Only a marriage between a man and a woman is valid in this State.

18 (B) A MARRIAGE BETWEEN TWO INDIVIDUALS OF THE SAME SEX THAT IS
19 VALIDLY ENTERED INTO IN ANOTHER STATE OR IN A FOREIGN COUNTRY IS NOT
20 VALID IN THIS STATE.

21 (C) MARRIAGES BETWEEN INDIVIDUALS OF THE SAME SEX ARE AGAINST
22 THE PUBLIC POLICY OF THIS STATE.

23 2-502.

24 (a) In this section, "foreign marriage" means a marriage ceremony:

25 (1) performed outside this State; [and]

26 (2) BETWEEN A MAN AND A WOMAN; AND

27 [(2)] (3) in which 1 or both of the parties were or are citizens of this State.

2

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1997.