

# HOUSE BILL 351

D4

8lr1195

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By: **Delegates Barnes, McIntosh, Kaiser, Mizeur, Schuler, Ali, Anderson, Barkley, Barve, Bobo, Bronrott, Carr, Carter, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Heller, Hixson, Hubbard, Huckler, Ivey, Lee, Manno, Montgomery, Niemann, Pena-Melnyk, Pendergrass, Ramirez, Reznik, Rice, Rosenberg, Stukes, F. Turner, Valderrama, and Waldstreicher**

Introduced and read first time: January 25, 2008

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Religious Freedom and Civil Marriage Protection Act**

3 FOR the purpose of repealing a provision specifying that only a marriage between a  
4 man and a woman is valid in this State; establishing that only a marriage  
5 between two people, not otherwise prohibited from marrying, is valid in this  
6 State; providing for the construction of this Act; and generally relating to  
7 religious freedom and civil marriage.

8 BY repealing and reenacting, with amendments,  
9 Article – Family Law  
10 Section 2–201  
11 Annotated Code of Maryland  
12 (2006 Replacement Volume and 2007 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] **TWO PEOPLE, NOT**  
18 **OTHERWISE PROHIBITED FROM MARRYING**, is valid in this State.

19 (B) **THIS SECTION MAY NOT BE CONSTRUED TO INVALIDATE ANY OTHER**  
20 **SECTION OF THIS TITLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be  
2 construed to require an official of a religious institution or body authorized to  
3 solemnize marriages to solemnize any marriage in violation of the right to free  
4 exercise of religion guaranteed by the First Amendment to the United States  
5 Constitution and by the Maryland Constitution and the Maryland Declaration of  
6 Rights.

7           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2008.