HOUSE BILL 90

By: Delegate Burns

Introduced and read first time: January 14, 2010

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
5   this State; altering the definition of a "foreign marriage" to provide that the
6   term includes a marriage ceremony between a man and woman; declaring that
7   marriages between individuals of the same sex are against the public policy of
8   this State; and generally relating to the validity of same sex marriages in the
9   State.

10 BY repealing and reenacting, with amendments,
11   Article – Family Law
12   Section 2–201 and 2–502(a)
13   Annotated Code of Maryland
14   (2006 Replacement Volume and 2009 Supplement)

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

Article – Family Law

18 2–201.

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

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

23   **(C)**   **MARRIAGES BETWEEN INDIVIDUALS OF THE SAME SEX ARE**
24 **AGAINST THE PUBLIC POLICY OF THIS STATE.**

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
        [Brackets] indicate matter deleted from existing law.

1   2–502.

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

3   (1)   performed outside this State; **[**and**]**

4   **(2)   BETWEEN A MAN AND A WOMAN; AND**

5   **[**(2)**](3)**   in which 1 or both of the parties were or are citizens of this
6   State.

7   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8   October 1, 2010.