
By: **Delegates O'Donnell, Aumann, Bartlett, Bates, Boschert, Boteler, Cluster, Costa, Dwyer, Eckardt, Edwards, Elliott, Elmore, Frank, Gilleland, Glassman, Haddaway, Hogan, Impallaria, Jennings, Kach, Kelly, Kohl, Krebs, Leopold, Mayer, McComas, McConkey, McDonough, McKee, McMillan, Miller, Myers, Parrott, Shank, Shewell, Smigiel, Sossi, Stocksdales, Stull, Trueschler, Walkup, and Weldon**

Introduced and read first time: March 1, 2006
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Amendment - Valid Marriage**

3 FOR the purpose of proposing an amendment to the Maryland Constitution that
4 establishes that the prohibition against the abridgement or denial of equality of
5 rights under the law because of sex under the Maryland Constitution may not be
6 construed to affect a provision of law that provides that only a marriage between
7 a man and a woman is valid in this State; and submitting this amendment to
8 the qualified voters of the State of Maryland for their adoption or rejection.

9 BY proposing an amendment to the Maryland Constitution
10 Declaration of Rights
11 Article 46

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article - Declaration of Rights**

16 46.

17 (A) Equality of rights under the law shall not be abridged or denied because of
18 sex.

19 (B) NOTHING IN THIS ARTICLE MAY BE CONSTRUED TO AFFECT A PROVISION
20 OF LAW THAT PROVIDES THAT ONLY A MARRIAGE BETWEEN A MAN AND A WOMAN IS
21 VALID IN THIS STATE.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
23 determines that the amendment to the Maryland Constitution proposed by this Act
24 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the

1 Maryland Constitution concerning local approval of constitutional amendments do
2 not apply.

3 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
4 proposed as an amendment to the Maryland Constitution shall be submitted to the
5 legal and qualified voters of this State at the next general election to be held in
6 November, 2006 for their adoption or rejection in pursuance of directions contained in
7 Article XIV of the Maryland Constitution. At that general election, the vote on this
8 proposed amendment to the Constitution shall be by ballot, and upon each ballot
9 there shall be printed the words "For the Constitutional Amendment" and "Against
10 the Constitutional Amendment," as now provided by law. Immediately after the
11 election, all returns shall be made to the Governor of the vote for and against the
12 proposed amendment, as directed by Article XIV of the Maryland Constitution, and
13 further proceedings had in accordance with Article XIV.