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SENATE SUBSTITUTE AMENDMENT 9, TO 2005 SENATE JOINT RESOLUTION 53

December 6, 2005 - Offered by Senator Carpenter.

To create section 13 of article XIII of the constitution; relating to: only a marriage
between one man and one woman shall be valid or recognized as a marriage in
this state (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, authorizes the legislature to provide that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the senate, the assembly concurring, That:

Section 1. Section 13 of article XIII of the constitution is created to read:

[Article XIII] Section 13. The legislature, by law, may provide that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. The legislature, by law, may provide that a legal status identical or

substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.

Section 2. Numbering of new provision. The new section 13 of article XIII of the constitution created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a section 13 of article XIII of the constitution of this state. If one or more joint resolutions create a section 13 of article XIII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the sections created shall be numbered and placed in a sequence so that the sections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the sections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the sections.

Be it further resolved, That this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

18 (END)