

HOUSE BILL 808

D4
HB 1055/09 – JUD

0lr0885

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

Introduced and read first time: February 9, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering a provision of law establishing that only certain
4 marriages are valid in this State; prohibiting certain officials from being
5 required to solemnize a marriage in violation of a certain constitutional right;
6 providing for the construction of a certain provision of this Act; and generally
7 relating to valid marriages.

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 2009 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) THIS SECTION MAY NOT BE CONSTRUED TO INVALIDATE ANY OTHER**
18 **PROVISION OF THIS TITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B)** Only a marriage between [a man and a woman] **TWO INDIVIDUALS WHO**
2 **ARE NOT OTHERWISE PROHIBITED FROM MARRYING** is valid in this State.

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

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2010.