

JAN 25 2010

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE
STATE OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the courts and the
2 legislature have, intermittently since the 1990s, been called
3 upon to address laws regarding who may legally marry in Hawaii.
4 More than a decade has passed, yet this issue remains
5 unresolved. Accordingly, the legislature further finds that the
6 people of Hawaii have the right and responsibility to vote on
7 what legally constitutes a marriage. The purpose of this Act is
8 to propose an amendment to article I of the Constitution of the
9 State of Hawaii to reserve marriage to opposite-sex couples.

10 SECTION 2. Article I, section 23, of the Constitution of
11 the State of Hawaii is amended to read as follows:

12 **"MARRIAGE**

13
14 **Section 23.** [~~The legislature shall have the power to~~
15 ~~reserve marriage to opposite sex couples.~~] Marriage shall be
16 reserved to opposite-sex couples."



SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the Constitution of the State of Hawaii be amended to require that marriage shall be reserved to opposite-sex couples?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

INTRODUCED BY:

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Report Title:

Constitutional Amendment; Requirements for Marriage

Description:

Amends the state constitution to repeal the requirement that the legislature define marriage. Reserves marriage to opposite-sex couples.

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