

Regular Session, 2004

HOUSE BILL NO. 61 (Duplicate of Senate Bill No. 166)

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL AND COAUTHORED BY REPRESENTATIVES ALEXANDER, BADON, BAUDOIN, BEARD, BROOME, BRUCE, BURNS, R. CARTER, CRANE, CROWE, DARTEZ, DOERGE, DOVE, DOWNS, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMANN, E. GUILLORY, M. GUILLORY, HEBERT, HILL, HOPKINS, HUNTER, JOHNS, KATZ, KENNEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, M. POWELL, T. POWELL, RITCHIE, ROMERO, SCHNEIDER, SHEPHERD, SMILEY, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, WADDELL, WALKER, WHITE, WINSTON, AND WOOTON AND SENATORS ADLEY, BARHAM, ELLINGTON, KOSTELKA, MICHOT, NEVERS, SCHEDLER, SMITH, AMEDEE, CAIN, DUPLESSIS, FONTENOT, LENTINI, MALONE, MOUNT, THEUNISSEN, AND ULLO

1 A JOINT RESOLUTION

2 Proposing an amendment to the Constitution of Louisiana, to enact Article XII, Section 15,
3 relative to marriage; to require that marriage in the state shall consist only of the union
4 of one man and one woman; to provide that the legal incidents of marriage shall be
5 conferred only upon such union; to prohibit the validation or recognition of the legal
6 status of any union of unmarried individuals; to prohibit the recognition of a marriage
7 contracted in another jurisdiction which is not the union of one man and one woman;
8 to provide for submission of the proposed amendment to the electors and provide a
9 ballot proposition; and to provide for related matters.

10 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
11 elected to each house concurring, that there shall be submitted to the electors of the state of
12 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add
13 Article XII, Section 15 of the Constitution of Louisiana, to read as follows:

14 §15. Defense of Marriage

15 Section 15. Marriage in the state of Louisiana shall consist only of the union
16 of one man and one woman. No official or court of the state of Louisiana shall
17 construe this constitution or any state law to require that marriage or the legal
18 incidents thereof be conferred upon any member of a union other than the union of

1 one man and one woman. A legal status identical or substantially similar to that of
2 marriage for unmarried individuals shall not be valid or recognized. No official or
3 court of the state of Louisiana shall recognize any marriage contracted in any other
4 jurisdiction which is not the union of one man and one woman.

5 Section 2. Be it further resolved that this proposed amendment shall be submitted to
6 the electors of the state of Louisiana at the statewide election to be held on September 18,
7 2004.

8 Section 3. Be it further resolved that on the official ballot to be used at said election
9 there shall be printed a proposition, upon which the electors of the state shall be permitted to
10 vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read
11 as follows:

12 To provide that marriage in this state shall consist of the union of one man and
13 one woman, that legal incidents of marriage shall not be conferred on a
14 member of any union other than such union, and that the state shall not
15 validate or recognize a legal status identical or substantially similar to that of
16 marriage for unmarried individuals or any marriage contracted in any other
17 jurisdiction which is not the union of one man and one woman. (Adds Article
18 XII, Section 15)

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE