
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO DEFINE
MARRIAGE AS BETWEEN A MAN AND A WOMAN.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to article I, section 23, of the Hawaii Constitution
3 to define marriage as only between a man and a woman as husband
4 and wife.

5 The legislature finds that the unique social institution of
6 marriage involving the legal relationship of matrimony between a
7 man and a woman is a protected relationship of fundamental and
8 unequaled importance to the State, the nation, and society.
9 During the 1997 legislative session, H.B. No. 117 was enacted to
10 propose an amendment to the Hawaii Constitution by adding a new
11 section relating to marriage. The proposed amendment was
12 ratified by Hawaii voters in the general election of November 3,
13 1998, and provides that the legislature "shall have the power to
14 reserve marriage to opposite sex couples." Although state law
15 currently provides that a valid marriage contract is only
16 between a man and a woman, a constitutional amendment that
17 expressly limits marriage to a legally sanctioned union only



1 between a man and a woman is necessary to provide further
2 clarification and specificity.

3 SECTION 2. Article 1, section 23, of the Hawaii
4 Constitution is amended to read as follows:

5 "Section 23. [~~The legislature shall have the power to~~
6 ~~reserve marriage to opposite sex couples.~~] Marriage is a
7 legally sanctioned union only between a man and a woman."

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

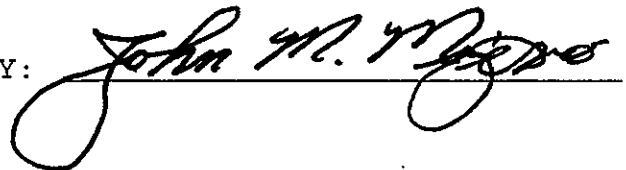
10 "Shall marriage be defined as a legally sanctioned union
11 only between a man and a woman?"

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 Constitutional material to be repealed is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

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

17

INTRODUCED BY:



Report Title:

State Constitution; Marriage

Description:

Constitutionally prohibits same sex marriage by defining marriage as a relationship only between a man and a woman.

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