
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. In
9 1997, the legislature proposed an amendment to the Hawaii
10 Constitution by adding a new section relating to marriage. The
11 proposed amendment was ratified by Hawaii voters in the general
12 election of November 3, 1998, and provides that the legislature
13 "shall have the power to reserve marriage to opposite sex
14 couples". Although state law currently provides that a valid
15 marriage contract exists only between a man and a woman, a
16 constitutional amendment that expressly limits marriage to a



1 legally sanctioned union only between a man and a woman is
2 necessary to provide further 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 legally
7 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:

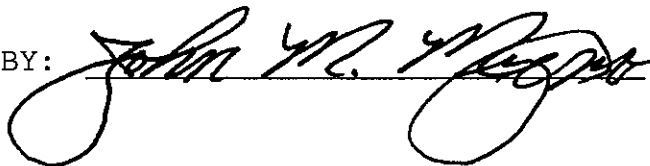
10 "Shall marriage be defined as a legally sanctioned union
11 only between a man and a woman?"

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 Constitutional material to be repealed is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
16 compliance with article XVII, section 3, of the Hawaii
17 Constitution.

18

INTRODUCED BY:



JAN 22 2013



H.B. NO. 1004

Report Title:

State Constitution; Marriage

Description:

Proposes a constitutional amendment to define marriage as a relationship only between a man and a woman.

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