

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1835 Session of  
2011

INTRODUCED BY JOSEPHS, BRIGGS, V. BROWN, COHEN, FRANKEL,  
McGEEHAN, M. O'BRIEN AND SANTARSIERO, SEPTEMBER 19, 2011

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 19, 2011

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for definitions;  
3 providing for same-sex marriages; and making a repeal.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. The definition of "marriage" in section 1102 of  
7 Title 23 of the Pennsylvania Consolidated Statutes is amended to  
8 read:

9 § 1102. Definitions.

10 The following words and phrases when used in this part shall  
11 have the meanings given to them in this section unless the  
12 context clearly indicates otherwise:

13 \* \* \*

14 "Marriage." A civil contract [by which one man and one woman  
15 take each other for husband and wife] between two people who  
16 enter into matrimony.

17 \* \* \*

18 Section 2. Section 1704 of Title 23 is repealed:

1    [§ 1704.  Marriage between persons of the same sex.

2       It is hereby declared to be the strong and longstanding  
3   public policy of this Commonwealth that marriage shall be  
4   between one man and one woman. A marriage between persons of the  
5   same sex which was entered into in another state or foreign  
6   jurisdiction, even if valid where entered into, shall be void in  
7   this Commonwealth.]

8       Section 3.  Title 23 is amended by adding a section to read:

9   § 1704.1.  Same-sex marriages.

10     (a)  Construction.--Nothing in this title shall be construed  
11 to compel a religious sect to perform same-sex marriages.

12     (b)  Marriages outside Commonwealth.--Marriages performed  
13 legally outside this Commonwealth shall be recognized by the  
14 Commonwealth.

15     Section 4.  This act shall take effect in 60 days.