INTRODUCED BY LEACH AND FARNESE, JUNE 5, 2009

REFERRED TO JUDICIARY, JUNE 5, 2009

AN ACT

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

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

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

§ 1102. Definitions.
The following words and phrases when used in this part shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

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

* * *

Section 2. Section 1704 of Title 23 is repealed:

[§ 1704. Marriage between persons of the same sex.]
It is hereby declared to be the strong and longstanding public policy of this Commonwealth that marriage shall be between one man and one woman. A marriage between persons of the same sex which was entered into in another state or foreign jurisdiction, even if valid where entered into, shall be void in this Commonwealth.]

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

§ 1704.1. Same-sex marriages.

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

(b) Marriages outside Commonwealth.—Marriages performed legally outside this Commonwealth shall be recognized by the Commonwealth.

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