
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 461 Session of
2011

INTRODUCED BY LEACH, FERLO AND FARNESE, FEBRUARY 9, 2011

REFERRED TO JUDICIARY, FEBRUARY 9, 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 Section 1704 of Title 23 is repealed:

19 [§ 1704. Marriage between persons of the same sex.

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

7 Section 3. Title 23 is amended by adding a section to read:
8 § 1704.1. Same-sex marriages.

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

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

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