

ASSEMBLY, No. 2193

STATE OF NEW JERSEY

INTRODUCED JUNE 20, 1996

By Assemblywoman CRECCO, Assemblymen FELICE, Garrett, Zecker, Bucco, Kavanaugh, Barnes, Rooney, Assemblywomen Farragher, Bark, Assemblymen Bodine, Gibson, Assemblywomen Heck, Murphy, Assemblymen Holzapfel, Moran, Assemblywoman J. Smith, Assemblyman Carroll, Assemblywoman Myers, Assemblymen Steele, Kelly, O'Toole, DeCroce, Blee, DiGaetano, Rocco, Arnone and Gregg

1 AN ACT prohibiting same sex marriages and amending R.S.37:1-1 and
2 supplementing Title 37 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. R.S.37:1-1 is amended to read as follows:

8 A man shall not marry any of his ancestors or descendants, or his
9 sister, or the daughter of his brother or sister, or the sister of his father
10 or mother, whether such collateral kindred be of the whole or half
11 blood. A woman shall not marry any of her ancestors or descendants,
12 or her brother, or the son of her brother or sister, or the brother of her
13 father or mother, whether such collateral kindred be of the whole or
14 half blood. Persons of the same sex shall not marry. A marriage in
15 violation of any of the foregoing provisions shall be absolutely void.
16 (cf: R.S.37:1-1)

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18 2. (New section) A marriage solemnized in any other county, state
19 or territory, if valid where solemnized, is valid here unless it is a
20 marriage that would be prohibited and declared void in this State
21 pursuant to R.S.37:1-1 or R.S.37:1-10.

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23 3. (New section) Marriage between persons of the same sex is
24 against the public policy of the State of New Jersey.

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26 4. This act shall take effect immediately.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

STATEMENT

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3 This bill provides that marriages between persons of the same sex
4 are prohibited and void in New Jersey. The bill additionally provides
5 that a marriage solemnized in any other county, state or territory, if
6 valid where solemnized, is valid here unless it is a marriage that would
7 be prohibited and declared void in this State pursuant to R.S.37:1-1
8 (which would include same sex marriages) or R.S.37:1-10 concerning
9 New Jersey's policy of not recognizing common law marriages.

10 This bill expressly affirms public policy in support of marriage and
11 makes clear that marriage is limited to marriage between a man and a
12 woman. The bill further provides that same sex marriages and others
13 not recognized in this State, whether or not sanctioned by another
14 state, are not recognized in New Jersey.

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19 Includes same sex marriages among marriages declared void; provides
20 that New Jersey will not recognize marriages in other jurisdictions
21 which are void in New Jersey.