

A023-0910

10 AN ACT CONCERNING

20 **Family Law – Marriage – Equality of Marriage**

30 FOR the purpose of eliminating the restriction of valid marriages performed in the States of
40 Maryland to marriage between a man and a woman and extending the definition of valid
50 marriage to include same-sex couples.

60 BY repealing and re-enacting, with amendments,

70 Article – Family Law

80 Sections 2–201 and 2–202.

90 Annotated Code of Maryland (2004 Replacement Volume and 2007 Supplement)

110 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE,

120 That the Laws of Maryland read as follows:

130 Article – Family Law

140 Section 2–201. Valid marriages.

150 ~~Only a marriage between a man and a woman is valid in this State.~~

160 **THE FOLLOWING MARRIAGES ARE VALID IN THIS STATE:**

170 **(A) A MARRIAGE BETWEEN ONE MAN AND ONE WOMAN.**

180 **(B) A MARRIAGE BETWEEN ONE MAN AND ONE OTHER MAN.**

190 **(C) A MARRIAGE BETWEEN ONE WOMAN AND ONE OTHER WOMAN.**

200 Section 2–202. Marriages within certain degrees of relationships void; penalties.

210 (a) *In general.* – Any marriage performed in this State that is prohibited by this section is
220 void.

230 (b) *Marriages within 3 degrees of direct lineal consanguinity or within first degree of*
240 *collateral consanguinity prohibited; penalties.* -

250 (1) A man may not marry his:

260 (i) ~~grandmother~~ GRANDPARENT;

270 (ii) ~~mother~~ PARENT;

280 (iii) ~~daughter~~ CHILD;

290 (iv) ~~sister~~ SIBLING;

300 (v) ~~granddaughter~~ GRANDCHILD;

310 (2) A woman may not marry her:

320 (i) ~~grandfather~~ GRANDPARENT;

330 (ii) ~~father~~ PARENT;

340 (iii) ~~son~~ CHILD;

350 (iv) ~~brother~~ SIBLING;

360 (v) ~~grandson~~ GRANDCHILD.

370 (3) An individual who violates any provision of this subsection is guilty of a
380 misdemeanor and on conviction is subject to a fine of \$1,500.

390 (c) *Certain marriages within other degrees of affinity or consanguinity prohibited; penalties. -*

400 (1) A man may not marry his:

- 400 (i) ~~grandfather's wife~~ GRANDPARENT'S SPOUSE;
- 410 (ii) ~~wife's grandmother~~ SPOUSE'S GRANDPARENT;
- 420 (iii) ~~father's sister~~ PARENT'S SIBLING;
- 430 (iv) ~~mother's sister~~ STEPPARENT;
- 440 (v) ~~stepmother~~ SPOUSE'S PARENT;
- 450 (vi) ~~wife's mother~~ SPOUSE'S CHILD;
- 460 (vii) ~~wife's daughter~~ CHILD'S SPOUSE;
- 470 (viii) ~~son's wife~~ GRANDCHILD'S SPOUSE;
- 480 (ix) ~~grandson's wife~~ SPOUSE'S GRANDCHILD; OR
- 490 (x) ~~wife's granddaughter~~; SIBLING'S CHILD.
- 500 (xi) ~~brother's daughter~~; or
- 510 (xii) ~~sister's daughter~~.

520 (2) A woman may not marry her:

- 530 (i) ~~grandmother's husband~~ GRANDPARENT'S SPOUSE;
- 540 (ii) ~~husband's grandfather~~ SPOUSE'S GRANDPARENT;
- 550 (iii) ~~father's brother~~ PARENT'S SIBLING;
- 560 (iv) ~~mother's brother~~ STEPPARENT;
- 570 (v) ~~stepfather~~ SPOUSE'S PARENT;
- 580 (vi) ~~husband's father~~ SPOUSE'S CHILD;
- 590 (vii) ~~husband's son~~ CHILD'S SPOUSE;
- 600 (viii) ~~daughter's husband~~ GRANDCHILD'S SPOUSE;
- 610 (ix) ~~husband's grandson~~ SPOUSE'S GRANDCHILD; OR
- 620 (x) ~~brother's son~~ SIBLING'S CHILD.
- 630 (xi) ~~sister's son~~; or
- 640 (xii) ~~granddaughter's husband~~.

650 (3) An individual who violates any provision of this subsection is guilty of a
660 misdemeanor and on conviction is subject to a fine of \$500.

670 SECTION 2. AND BE IT FURTHER ENACTED,

680 That this Act shall take effect immediately upon passage of this legislation.

690 MANDATES: Martin O'Malley, Governor of Maryland;
700 Anthony G. Brown, Lieutenant Governor of Maryland;
710 Thomas V. Mike Miller, President of the Senate;
720 Michael E. Busch, Speaker of the House of Delegates; and
730 John M Colmers, Secretary of the Maryland Department of Health and
740 Mental Hygiene.

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