

Senate Concurrent Resolution No. 1601

By Senators Huelskamp, Barnett, Brownlee, Donovan, Gilstrap, Jordan, Journey, Morris, O'Connor, Ostmeyer, Palmer, Petersen, Pine, Pyle, Taddiken, Umbarger and Wilson

1-11

11 A PROPOSITION to amend article 15 of the constitution of the state of
12 Kansas by adding a new section thereto, concerning marriage.

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14 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
15 *members elected (or appointed) and qualified to the Senate and two-*
16 *thirds of the members elected (or appointed) and qualified to the House*
17 *of Representatives concurring therein:*

18 Section 1. The following proposition to amend the constitution of the
19 state of Kansas shall be submitted to the qualified electors of the state
20 for their approval or rejection: Article 15 of the constitution of the state
21 of Kansas is amended by adding a new section thereto to read as follows:

22 “§ 16. **Marriage.** (a) The marriage contract is to be considered in
23 law as a civil contract. Marriage shall be constituted by one man
24 and one woman only. All other marriages are declared to be con-
25 trary to the public policy of this state and are void.

26 “(b) No relationship, other than a marriage, shall be recognized by
27 the state as entitling the parties to the rights or incidents of marriage.”

28 Sec. 2. The following statement shall be printed on the ballot with
29 the amendment as a whole:

30 “*Explanatory statement.* There is currently no constitutional provision
31 regarding marriage. There is a statute, enacted by the legislature,
32 that defines marriage as a civil contract between two persons who
33 are of opposite sex and declares all other marriages to be contrary
34 to public policy and void.

35 “A vote for this proposition would amend the Kansas constitution to
36 incorporate into it the definition of marriage as a civil contract be-
37 tween one man and one woman only and the declaration that any
38 other marriage is contrary to public policy and void. The proposed
39 constitutional amendment also would prohibit the state from rec-
40 ognizing any other legal relationship that would entitle the parties
41 in the relationship to the rights or incidents of marriage.

42 “A vote against this proposition would not amend the constitution, in
43 which case the current statute that defines marriage would remain

1 unchanged but could be amended by future acts of the legislature
2 or modified by judicial interpretation.”

3 Sec. 3. This resolution, if approved by two-thirds of the members
4 elected (or appointed) and qualified to the Senate, and two-thirds of the
5 members elected (or appointed) and qualified to the House of Repre-
6 sentatives, shall be entered on the journals, together with the yeas and
7 nays. The secretary of state shall cause this resolution to be published as
8 provided by law and shall cause the proposed amendment to be submitted
9 to the electors of the state at the general election in April in the year
10 2005 unless a special election is called at a sooner date by concurrent
11 resolution of the legislature, in which case it shall be submitted to the
12 electors of the state at the special election.