

Fifty-fifth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Monday, the sixth day of January, one thousand nine hundred and ninety-seven

SENATE BILL NO. 2230
(Senators Christmann, Wanzek, Watne)
(Representatives Kerzman, Nelson, Sandvig)

AN ACT to amend and reenact sections 14-03-01 and 14-03-08 of the North Dakota Century Code, relating to the definition of marriage and the recognition of a foreign marriage; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 14-03-01 of the North Dakota Century Code is amended and reenacted as follows:

14-03-01. What constitutes marriage - Spouse defined. Marriage is a personal relation arising out of a civil contract between ~~a male one man and a female one woman~~ to which the consent of the parties is essential. The marriage relation may be entered into, maintained, annulled, or dissolved only as provided by law. A spouse refers only to a person of the opposite sex who is a husband or a wife.

SECTION 2. AMENDMENT. Section 14-03-08 of the North Dakota Century Code is amended and reenacted as follows:

14-03-08. Foreign marriages recognized - Exception. ~~All~~ Except when residents of this state contract a marriage in another state which is prohibited under the laws of this state, all marriages contracted outside of this state, which are valid according to the laws of the state or country where contracted, are valid in this state. This section does not apply when residents of this state contract a marriage in another state which is prohibited under the laws of North Dakota. This section applies only to a marriage contracted in another state or country which is between one man and one woman as husband and wife.

SECTION 3. EFFECTIVE DATE. If the legislature of another state enacts a law under which a marriage between two individuals, other than between one man and one woman, is a valid marriage in that state or the highest court of another state holds that under the law of that state a marriage between two individuals, other than between one man and one woman, is a valid marriage, the governor of this state shall certify that fact to the legislative council. The certification must include the effective date of the other state's legislation or the date of the court decision. Sections 1 and 2 of this Act are effective as of the earlier of the effective date of that law or the date of that decision.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2230.

Senate Vote: Yeas 43 Nays 6 Absent 0

House Vote: Yeas 73 Nays 18 Absent 6

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State