

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: H1/17/97

# A Bill

HOUSE BILL 1004

4 By: Representatives Kidd, Stalnaker, Davis, Broadway, Flanagan, *Harris, Malone, Ammons, Bisbee, Magnus, Newman, Critcher, Shoffner, Teague, Capps, McGee,*  
5 *Pappas, Faris, Rodgers, Wallis, Joe Hudson, Curran, French, Horn, Allison, Ferguson, Wilkinson, Wren, Bryant, Simon, Simmons, McGehee, Bond, Hall, Fletcher, Thomas,*  
6 *Angel, Stewart, Miller, Rorie, Johnson, Cook, Bush, Dianne Hudson, Mullenix, Jeffress, Hale, and Trammell*

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## For An Act To Be Entitled

10 "AN ACT TO AMEND ARKANSAS CODE TITLE 9, CHAPTER 11,  
11 SUBCHAPTER 1 TO PROVIDE THAT MARRIAGE SHALL ONLY BE  
12 BETWEEN A MAN AND WOMAN; AND TO AMEND ARKANSAS CODE 9-11-  
13 107 TO REFUSE TO RECOGNIZE FOREIGN MARRIAGES BETWEEN  
14 PERSONS OF THE SAME SEX; AND FOR OTHER PURPOSES."

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## Subtitle

17 "AN ACT TO PROVIDE THAT MARRIAGE SHALL  
18 ONLY BE BETWEEN A MAN AND WOMAN; AND TO  
19 REFUSE TO RECOGNIZE FOREIGN MARRIAGES  
20 BETWEEN PERSONS OF THE SAME SEX."

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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code Title 9, Chapter 11, Subchapter 1 is amended  
25 by adding the following new section:

26 "9-11-109. Same Sex Marriage Void.

27 Marriage shall be only between a man and a woman. A marriage between  
28 persons of the same sex is void."

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30 SECTION 2. Arkansas Code 9-11-107 is amended to read as follows:

31 "9-11-107. Validity of foreign marriages.

32 All marriages contracted outside this state which would be valid by the  
33 laws of the state or country in which the marriages were consummated and in  
34 which the parties then actually resided shall be valid in all the courts in  
35 this state. This section shall not apply to a marriage between persons of the  
36 same sex."

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SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

*/s/Rep. Kidd et al*