

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

As Engrossed: H1/17/97

A Bill

ACT 144 OF 1997
HOUSE BILL 1004

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

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For An Act To Be Entitled

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"AN ACT TO AMEND ARKANSAS CODE TITLE 9, CHAPTER 11,

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SUBCHAPTER 1 TO PROVIDE THAT MARRIAGE SHALL ONLY BE

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BETWEEN A MAN AND WOMAN; AND TO AMEND ARKANSAS CODE 9-11-

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107 TO REFUSE TO RECOGNIZE FOREIGN MARRIAGES BETWEEN

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PERSONS OF THE SAME SEX; AND FOR OTHER PURPOSES."

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Subtitle

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"AN ACT TO PROVIDE THAT MARRIAGE SHALL

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ONLY BE BETWEEN A MAN AND WOMAN; AND TO

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REFUSE TO RECOGNIZE FOREIGN MARRIAGES

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BETWEEN PERSONS OF THE SAME SEX."

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

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25 SECTION 1. Arkansas Code Title 9, Chapter 11, Subchapter 1 is amended

26 by adding the following new section:

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

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Marriage shall be only between a man and a woman. A marriage between

29 persons of the same sex is void."

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

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

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All marriages contracted outside this state which would be valid by the

34 laws of the state or country in which the marriages were consummated and in

35 which the parties then actually resided shall be valid in all the courts in

36 this state. This section shall not apply to a marriage between persons of the

1 same sex."

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

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

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

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/s/Rep. Kidd et al

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APPROVED:2-13-97

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