

PROGRAM BILL # 22

S.

Senate

IN SENATE--Introduced by Sen

--read twice and ordered printed,
and when printed to be committed
to the Committee on

----- A.
Assembly

IN ASSEMBLY--Introduced by M. of A.

with M. of A. as co-sponsors

--read once and referred to the
Committee on

DOMERELA
(Relates to individuals ability to
marry)

Dom Rel. ability to marry

AN ACT

to amend the domestic relations law,
in relation to the ability to marry

The People of the State of New
York, represented in Senate and
Assembly, do enact as follows:

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship
of this proposal

s20 Adams	s22 Golden	s39 Larkin	s11 Padavan	s14 Smith
s55 Alesi	s33 Gonzalez	s01 LaValle	s21 Parker	s58 Stachowski
s42 Bonacic	s47 Griffo	s40 Leibell	s30 Perkins	s16 Stavisky
s46 Breslin	s06 Hannon	s52 Libous	s61 Rath	s35 Stewart-
s43 Bruno	s36 Hassell-	s45 Little	s56 Robach	Cousins
s25 Connor	Thompson	s15 Maltese	s13 Sabini	s60 Thompson
s50 DeFrancisco	s10 Huntley	s05 Marcellino	s41 Saland	s03 Trunzo
s32 Diaz	s07 Johnson, C.	s62 Maziarr	s19 Sampson	s49 Valenky
s17 Dilan	s04 Johnson, O.	s18 Montgomery	s23 Savino	s59 Volker
s29 Duane	s34 Klein	s38 Morahan	s31 Schneiderman	s53 Winner
s44 Farley	s26 Krueger	s54 Nozzolio	s28 Serrano	s48 Wright
s02 Flanagan	s27 Kruger	s12 Onorato	s51 Seward	s57 Young
s08 Fuschillo	s24 Lanza	s37 Oppenheimer	s09 Skelos	

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the
multi-sponsorship of this proposal:

a049 Abbate	a010 Conte	a139 Hawley	a112 McDonald	a056 Robinson
a001 Alessi	a032 Cook	a148 Hayes	a019 McDonough	a067 Rosenthal
a021 Alfano	a107 Crouch	a083 Heastie	a104 McEneny	a012 Saladino
a084 Arroyo	a063 Cusick	a028 Hevesi	a017 McKeivitt	a113 Sayward
a118 Aubertine	a045 Cymbrowitz	a048 Hikind	a102 Miller	a029 Scarborough
a035 Aubry	a138 DelMonte	a018 Hooper	a052 Millman	a016 Schimel
a136 Bacalles	a116 Destito	a144 Hoyt	a103 Molinaro	a140 Schimlinger
a099 Ball	a086 Diaz, L.	a060 Hyer-Spencer	a132 Morelle	a145 Schroeder
a124 Barclay	a085 Diaz, R.	a042 Jacobs	a037 Nolan	a122 Scozzafava
a014 Barra	a081 Dinowitz	a095 Jaffee	a128 Oaks	a038 Seminerio
a082 Benedetto	a114 Duprey	a057 Jeffries	a069 O'Donnell	a064 Silver
a079 Benjamin	a003 Eddington	a131 John	a137 O'Mara	a093 Spano
a073 Bing	a004 Englebright	a074 Kavanagh	a051 Ortiz	a121 Stirpe
a055 Boyland	a130 Errigo	a100 Kirwan	a150 Parment	a011 Sweeney
a008 Boyle	a072 Espalliat	a129 Kolb	a088 Paulin	a110 Tedesco
a089 Bradley	a071 Farrell	a135 Koon	a141 Peoples	a002 Thiele
a044 Brennan	a005 Fields	a034 Lafayette	a039 Peralta	a061 Titone

a092 Brodsky	a123 Finch	a025 Lancman	a058 Perry	a031 Titus
a046 Brook-Krasny	a007 Fitzpatrick	a091 Latimer	a023 Pheffer	a062 Tobacco
a147 Burling	a143 Gabryszak	a013 Lavine	a068 Powell	a205 Tonko
a117 Butler	a090 Galef	a050 Lentol	a087 Pretlow	a054 Towns
a101 Cahill	a133 Gantt	a125 Lifton	a146 Quinn	a115 Townsend
a096 Calhoun	a036 Gianaris	a127 Lopez, P.	a097 Rabbitt	a015 Walker
a043 Camara	a149 Giglio	a053 Lopez, V.	a009 Raia	a041 Weinstein
a106 Canestrari	a066 Glick	a126 Lupardo	a006 Ramos	a020 Weisenberg
a026 Carrozza	a040 Gordon, D.	a111 Magee	a134 Rellich	a024 Weprin
a119 Christensen	a108 Gordon, T.	a120 Magnarelli	a109 Reilly	a070 Wright
a033 Clark	a075 Gottfried	a059 Maisel	a078 Rivera, J.	a022 Young
a142 Cole	a077 Greene	a030 Markey	a080 Rivera, N.	a065
a047 Colton	a098 Gunther	a027 Meyersohn	a076 Rivera, P.	a094

1) Single House Bill (introduced and printed separately in either or both
houses). Uni-Bill (introduced simultaneously in both houses and printed as one
bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed
copies of bill and 4 copies of memorandum in support (single house); or 4 signed
copies of bill and 8 copies of memorandum in support (uni-bill).

1 Section 1. Legislative intent. Marriage is a fundamental human right.
2 Same-sex couples and their children should have the same access as
3 others to the protections, responsibilities, rights, obligations, and
4 benefits of civil marriage. Stable family relationships help build a
5 stronger society. For the welfare of the community and in fairness to
6 all New Yorkers, this act formally recognizes otherwise-valid marriages
7 without regard to whether the parties are of the same or different sex.

8 It is the intent of the legislature that the marriages of same-sex and
9 different-sex couples be treated equally in all respects under the law.
10 The omission from this act of changes to other provisions of law shall
11 not be construed as a legislative intent to preserve any legal
12 distinction between same-sex couples and different-sex couples with
13 respect to marriage. The legislature intends that all provisions of law
14 which utilize gender-neutral terms in reference to the parties to a
15 marriage, or which in any other way may be inconsistent with this act,
16 be construed in a gender-neutral manner or in any way necessary to
17 effectuate the intent of this act.

18 § 2. The domestic relations law is amended by adding a new section
19 10-a to read as follows:

20 § 10-a. Sex of parties. 1. A marriage that is otherwise valid shall be
21 valid regardless of whether the parties to the marriage are of the same
22 or different sex.

23 2. No government treatment or legal status, effect, right, benefit,
24 privilege, protection or responsibility relating to marriage, whether
25 deriving from statute, administrative or court rule, public policy,
26 common law or any other source of law, shall differ based on the parties
27 to the marriage being or having been of the same sex rather than a
28 different sex. When necessary to implement the rights and responsibil-

1 ities of spouses under the law, all gender-specific language or terms
2 shall be construed in a gender-neutral manner in all such sources of
3 law.

4 § 3. Section 13 of the domestic relations law, as amended by chapter
5 720 of the laws of 1957, is amended to read as follows:

6 § 13. Marriage licenses. It shall be necessary for all persons
7 intended to be married in New York state to obtain a marriage license
8 from a town or city clerk in New York state and to deliver said license,
9 within sixty days, to the clergyman or magistrate who is to officiate
10 before the marriage ceremony may be performed. In case of a marriage
11 contracted pursuant to subdivision four of section eleven of this chap-
12 ter, such license shall be delivered to the judge of the court of record
13 before whom the acknowledgment is to be taken. If either party to the
14 marriage resides upon an island located not less than twenty-five miles
15 from the office or residence of the town clerk of the town of which such
16 island is a part, and if such office or residence is not on such island
17 such license may be obtained from any justice of the peace residing on
18 such island, and such justice, in respect to powers and duties relating
19 to marriage licenses, shall be subject to the provisions of this article
20 governing town clerks and shall file all statements or affidavits
21 received by him while acting under the provisions of this section with
22 the town clerk of such town. No application for a marriage license shall
23 be denied on the ground that the parties are of the same, or a differ-
24 ent, sex.

25 § 4. Subdivision 1 of section 11 of the domestic relations law, as
26 amended by chapter 319 of the laws of 1959, is amended to read as
27 follows:

1 1. A clergyman or minister of any religion, or by the senior leader,
2 or any of the other leaders, of The Society for Ethical Culture in the
3 city of New York, having its principal office in the borough of Manhat-
4 tan, or by the leader of The Brooklyn Society for Ethical Culture,
5 having its principal office in the borough of Brooklyn of the city of
6 New York, or of the Westchester Ethical Society, having its principal
7 office in Westchester county, or of the Ethical Culture Society of Long
8 Island, having its principal office in Nassau county, or of the River-
9 dale-Yonkers Ethical Society having its principal office in Bronx coun-
10 ty, or by the leader of any other Ethical Culture Society affiliated
11 with the American Ethical Union; provided that no clergyman, minister or
12 Society for Ethical Culture leader shall be required to solemnize any
13 marriage when acting in his or her capacity under this subdivision.

14 § 5. This act shall take effect immediately.