

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 25-014

BY SENATOR(S) Danielson, Bridges, Cutter, Marchman, Michaelson Jenet, Roberts, Amabile, Daugherty, Gonzales J., Hinrichsen, Kipp, Kolker, Mullica, Rodriguez, Snyder, Sullivan, Weissman, Winter F., Coleman;
also REPRESENTATIVE(S) Garcia and Titone, Boesenecker, Brown, Camacho, Clifford, Espenosa, Gilchrist, Mabrey, Phillips, Rutinel, Stewart R., Velasco, Willford, Woodrow, Bacon, Bird, Duran, Feret, Froelich, Hamrick, Joseph, Lieder, Lindstedt, Lukens, Marshall, Mauro, McCormick, Paschal, Rydin, Sirota, Smith, Stewart K., Story, Zokaie, McCluskie.

CONCERNING REPEALING THE STATUTORY UNCONSTITUTIONAL BAN ON
SAME-SEX MARRIAGE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **amend** 14-2-104 as follows:

14-2-104. Formalities. (1) ~~Except as otherwise provided in subsection (3) of this section,~~ A marriage is valid in this state if

(a) it is licensed, solemnized, and registered as provided in this part 1. ~~and~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(b) It is only between one man and one woman.~~

~~(2) Notwithstanding the provisions of section 14-2-112, any marriage contracted within or outside this state that does not satisfy paragraph (b) of subsection (1) of this section shall not be recognized as valid in this state.~~

~~(3) Nothing in this section shall be deemed to repeal or render invalid any otherwise valid common law marriage between one man and one woman.~~

~~(a) Entered into prior to September 1, 2006; or~~

~~(b) Entered into on or after September 1, 2006, that complies with section 14-2-109.5.~~

SECTION 2. In Colorado Revised Statutes, **amend** 14-15-102 as follows:

14-15-102. Legislative declaration. ~~The general assembly declares that the public policy of this state, as set forth in section 31 of article II of the state constitution, recognizes only the union of one man and one woman as a marriage.~~ The general assembly declares that the purpose of this article ARTICLE 15 is to provide eligible couples the opportunity to obtain the benefits, protections, and responsibilities afforded by Colorado law to spouses consistent with the principles of equality under law and religious freedom embodied in both the United States constitution and the constitution of this state. The general assembly declares that a second purpose of the act is to protect individuals who are or may become partners in a civil union against discrimination in employment, housing, and in places of public accommodation. The general assembly further finds that the general assembly, in the exercise of its plenary power, has the authority to define other arrangements, such as a civil union between two unmarried persons regardless of their gender, and to set forth in statute any state-level benefits, rights, and protections to which a couple is entitled by virtue of entering into a civil union. The general assembly finds that the "Colorado Civil Union Act" does not alter the public policy of this state. ~~which recognizes only the union of one man and one woman as a marriage.~~ The general assembly also declares that a third purpose in enacting the

"Colorado Civil Union Act" is to state that Colorado courts may offer same-sex couples the equal protection of the law and to give full faith and credit to recognize relationships legally created in other jurisdictions that are similar to civil unions created by this ~~article and that are not otherwise recognized pursuant to Colorado law~~ ARTICLE 15.

SECTION 3. In Colorado Revised Statutes, 14-15-103, **amend** the introductory portion and (4) as follows:

14-15-103. Definitions. As used in this ~~article~~ ARTICLE 15, unless the context otherwise requires:

(4) "Marriage" means the legally recognized union of ~~one man and one woman~~ TWO INDIVIDUALS AS PARTNERS IN A PERSONAL RELATIONSHIP.

SECTION 4. In Colorado Revised Statutes, **amend** 14-15-118 as follows:

14-15-118. Construction. ~~The provisions of this article shall~~ THIS ARTICLE 15 DOES not ~~be construed to~~ create a marriage between the parties to a civil union. ~~or alter the public policy of this state, which recognizes only the union of one man and one woman as a marriage.~~

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO