
ENGROSSED SUBSTITUTE HOUSE BILL 2262

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Thompson, Koster, Carrell, Hargrove, Stevens, Mulliken, Fuhrman, Hymes, Crouse, Sterk, Backlund, L. Thomas, McMahan, Beeksma, Pelesky, Johnson and Casada)

Read first time 02/02/96.

1 AN ACT Relating to marriages; amending RCW 26.04.010 and 26.04.020;
2 creating new sections; and providing for submission of this act to a
3 vote of the people.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature and the people of the state
6 of Washington find that matters pertaining to marriage are matters
7 reserved to the sovereign states and, therefore, such matters should be
8 determined by the people within each individual state, not by the
9 people of a different state.

10 NEW SECTION. **Sec. 2.** It is a compelling interest of the state of
11 Washington to reaffirm its historical commitment to the institution of
12 marriage as a union between a man and a woman and its fundamental role
13 in the procreation and development of children.

14 **Sec. 3.** RCW 26.04.010 and 1973 1st ex.s. c 154 s 26 are each
15 amended to read as follows:

16 (1) Marriage is a civil contract ((which may be entered into by
17 persons of)) between a male and a female who have each attained the

1 age of eighteen years, and who are otherwise capable(~~(:—PROVIDED,~~
2 ~~That))~~).

3 (2) Every marriage entered into in which either ((party)) the
4 husband or the wife shall not have attained the age of seventeen years
5 shall be void except where this section has been waived by a superior
6 court judge of the county in which one of the parties resides on a
7 showing of necessity.

8 **Sec. 4.** RCW 26.04.020 and 1927 c 189 s 1 are each amended to read
9 as follows:

10 (1) Marriages in the following cases are prohibited:

11 ~~((1))~~ (a) When either party thereto has a wife or husband living
12 at the time of such marriage((-));

13 ~~((2))~~ (b) When the ((parties thereto)) husband and wife are
14 nearer of kin to each other than second cousins, whether of the whole
15 or half blood computing by the rules of the civil law; or

16 (c) When the parties are persons other than a male and female as
17 provided in RCW 26.04.010.

18 ~~((3))~~ (2) It shall be unlawful for any man to marry his father's
19 sister, mother's sister, daughter, sister, son's daughter, daughter's
20 daughter, brother's daughter or sister's daughter; it shall be unlawful
21 for any woman to marry her father's brother, mother's brother, son,
22 brother, son's son, daughter's son, brother's son or sister's son.

23 (3) A marriage between two persons that is recognized as valid in
24 another jurisdiction shall be valid in this state only if the marriage
25 is not otherwise prohibited under this section.

26 NEW SECTION. **Sec. 5.** This act shall be submitted to the people
27 for their adoption and ratification, or rejection, at the next
28 succeeding general election to be held in this state, in accordance
29 with Article II, section 1 of the state Constitution, as amended, and
30 the laws adopted to facilitate the operation thereof.

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