
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 a new section; 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 **Sec. 2.** RCW 26.04.010 and 1973 1st ex.s. c 154 s 26 are each
11 amended to read as follows:

12 (1) Marriage is a civil contract (~~which may be entered into by~~
13 ~~persons of~~) between a male and a female who have each attained the
14 age of eighteen years, and who are otherwise capable(~~(:—PROVIDED,~~
15 ~~That))~~).

16 (2) Every marriage entered into in which either (~~party~~) the
17 husband or the wife shall not have attained the age of seventeen years
18 shall be void except where this section has been waived by a superior

1 court judge of the county in which one of the parties resides on a
2 showing of necessity.

3 **Sec. 3.** RCW 26.04.020 and 1927 c 189 s 1 are each amended to read
4 as follows:

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

6 ~~((1))~~ (a) When either party thereto has a wife or husband living
7 at the time of such marriage~~((-))~~i

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

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

13 ~~((3))~~ (2) It shall be unlawful for any man to marry his father's
14 sister, mother's sister, daughter, sister, son's daughter, daughter's
15 daughter, brother's daughter or sister's daughter; it shall be unlawful
16 for any woman to marry her father's brother, mother's brother, son,
17 brother, son's son, daughter's son, brother's son or sister's son.

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

21 NEW SECTION. **Sec. 4.** This act shall be submitted to the people
22 for their adoption and ratification, or rejection, at the next
23 succeeding general election to be held in this state, in accordance
24 with Article II, section 1 of the state Constitution, as amended, and
25 the laws adopted to facilitate the operation thereof.

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