

E2SSB 5688 - H AMD 681

By Representative Shea

FAILED 4/15/2009

1 On page 4, after line 22, insert the following:

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3 "Sec. 1. RCW 26.04.010 and 1998 c 1 s 3 are each amended to read
4 as follows:

5 (1) Marriage is a civil contract between a male and a female who
6 have each attained the age of eighteen years, and who are otherwise
7 capable.

8 (2) Marriage does not include a registered domestic partnership
9 between two males or two females or between a male and a female
10 created under chapter 26.60 RCW.

11 (3) Every marriage entered into in which either the husband or
12 the wife has not attained the age of seventeen years is void except
13 where this section has been waived by a superior court judge of the
14 county in which one of the parties resides on a showing of necessity.

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16 **Sec. 2.** RCW 26.04.020 and 1998 c 1 s 4 are each amended to read
17 as follows:

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

19 (a) When either party thereto has a wife or husband living at the
20 time of such marriage;

21 (b) When the husband and wife are nearer of kin to each other than
22 second cousins, whether of the whole or half blood computing by the
23 rules of the civil law; or

24 (c) When the parties are persons other than a male and a female.

25 (2) A registered domestic partnership between two males or two
26 females or between a male and a female created under chapter 26.60 RCW
27 does not constitute lawful marriage in this state.

1 (3) It is unlawful for any man to marry his father's sister,
2 mother's sister, daughter, sister, son's daughter, daughter's
3 daughter, brother's daughter or sister's daughter; it is unlawful for
4 any woman to marry her father's brother, mother's brother, son,
5 brother, son's son, daughter's son, brother's son or sister's son.

6 (~~(+3)~~) (4) A marriage between two persons that is recognized as
7 valid in another jurisdiction is valid in this state only if the
8 marriage is not prohibited or made unlawful under subsection (1)(a),
9 (1)(c), or (~~(+2)~~) (3) of this section."

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11 Renumber the remaining sections consecutively and correct any
12 internal references accordingly. Correct the title.

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EFFECT: Amends the marriage statutes to state that marriage does not include state registered domestic partnerships and a state registered domestic partnership does not constitute marriage.

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