

1                                   **HOUSE JOINT RESOLUTION NO.18**

2                                   (By Delegates Michael, Moye, Boggs,  
3                                   Overington, Armstead, Sumner  
4                                   and Williams)

5  
6                                   [Introduced January 13, 2011; referred to the  
7                                   Committee on Constitutional Revision then the  
8                                   Judiciary.]

9  
10 Proposing an amendment to the Constitution of the State of West  
11 Virginia, amending article III thereof by adding thereto a new  
12 section, designated section twenty-three, relating to the  
13 marriage protection amendment; prohibiting the state from  
14 recognizing same sex marriages; prohibiting the state from  
15 recognizing a legal status for relationships that is similar  
16 to marriage; numbering and designating such proposed  
17 amendment; and providing a summarized statement of the purpose  
18 of such proposed amendment.

19                                   *Resolved by the Legislature of West Virginia, two thirds of*  
20 *the members elected to each house agreeing thereto:*

21                                   That the question of ratification or rejection of an amendment  
22 to the Constitution of the State of West Virginia be submitted to  
23 the voters of the state at the next general election to be held in  
24 2012, or at any special election held subsequent thereto, which  
25 proposed amendment is that article III thereof be amended by adding  
26 thereto a new section, designated section twenty-three, to read as

1 follows:

2 **ARTICLE III. BILL OF RIGHTS.**

3 **§23. Marriage Protection Amendment.**

4 Only a union between one man and one woman may be a marriage  
5 valid in or recognized by this state and its political  
6 subdivisions. This state and its political subdivisions shall not  
7 create or recognize a legal status for same sex relationships to  
8 which is assigned the rights, benefits, obligations, qualities or  
9 effects of marriage.

10 *Resolved further,* That in accordance with the provisions of  
11 article eleven, chapter three of the Code of West Virginia, 1931,  
12 as amended, such proposed amendment is hereby numbered "Amendment  
13 No. 1" and designated as "The Marriage Protection Amendment" and  
14 the purpose of the proposed amendment is summarized as follows:  
15 "To amend the State Constitution to restrict marriage to one man  
16 and one woman; and to prohibit the state from recognizing same sex  
17 marriages."

NOTE: The purpose of this resolution is to amend the State  
Constitution in order to prohibit the state from recognizing same  
sex marriages.

Underscoring indicates new language that would be added to the  
present Constitution.