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SENATE JOINT RESOLUTION NO. 11

Offered January 10, 2024

Prefiled January 3, 2024

Proposing an amendment to Section 15-A of Article I of the Constitution of Virginia, relating to marriage between two individuals; repeal of same-sex marriage prohibition; affirmative right to marry.

Patrons—Ebbin, Boysko, Hashmi, Marsden, McPike, Pekarsky, Salim and Williams Graves; Delegates: Cohen, Cole, Convirs-Fowler, Henson, Hope and Sickles

Referred to Committee on Privileges and Elections

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 15-A of Article I of the Constitution of Virginia as follows:

ARTICLE I
BILL OF RIGHTS

Section 15-A. Marriage Fundamental right to marry.

That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions the right to marry is a fundamental right inherent in the liberty of persons, and marriage is one of the vital personal rights essential to the orderly pursuit of happiness.

This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage deny the issuance of a marriage license to two parties contemplating a lawful marriage on the basis of the sex, gender, or race of such parties. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage This Commonwealth and its political subdivisions shall recognize any lawful marriage between two parties and treat such marriages equally under the law, regardless of the sex, gender, or race of such parties.

Religious organizations and clergy acting in their religious capacity shall have the right to refuse to perform any marriage.

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