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SENATE JOINT RESOLUTION NO. 3

Offered January 14, 2026

Prefiled November 17, 2025

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

Patrons—Ebbin and Boysko

Referred to Committee on Privileges and Elections

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2025 and referred to this, the next regular session held after the 2025 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed 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.

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~~ 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 adult persons seeking a lawful marriage on the basis of the sex, gender, or race of such persons. ~~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 adult persons and treat such marriages equally under the law, regardless of the sex, gender, or race of such persons.~~

INTRODUCED

SJS