

State of Maryland - Statewide Referendum Petition

HB 438

Civil Marriage Protection Act

(Bill Number)

(Bill Title)

For _____ County or Baltimore City

We, the undersigned voters, hereby petition to refer the bill identified above to a vote of the registered voters of Maryland for approval or rejection at the next general election.

If the full text of the bill or part of the bill referred (the "proposal") does not appear on the back of this signature page or as an attachment, a fair and accurate summary of the substantive provisions of the proposal must appear on the back or be attached, and the full text of the proposal must be immediately available from the petition circulator.

NOTICE TO SIGNERS: Sign and print your name (1) as it appears on the voter registration list, OR (2) your surname of registration AND at least one full given name AND the initial of any other names. Please print or type all information other than your signature. Post Office Box addresses are not generally accepted as valid. By signing this petition, you agree that the bill identified above should be placed on the ballot as a referendum question at the next general election and that, to the best of your knowledge, you are registered to vote in Maryland and are eligible to have your signature counted for this petition.

SBE 6-201-3C (Rev 7-2011)

Please Note: The information you provide on this petition is public information and may be used to change your voter registration address.

1	Print Name:	First Name	Middle Name	Last Name	Birth Date:	Month	Date	Year
	Maryland Residence Address:	Street Number	Street Name	Apt. No.	City or Town	Zip		
	Signature (Same as Printed):				Date of Signature:	Month	Date	Year
2	Print Name:	First Name	Middle Name	Last Name	Birth Date:	Month	Date	Year
	Maryland Residence Address:	Street Number	Street Name	Apt. No.	City or Town	Zip		
	Signature (Same as Printed):				Date of Signature:	Month	Date	Year
3	Print Name:	First Name	Middle Name	Last Name	Birth Date:	Month	Date	Year
	Maryland Residence Address:	Street Number	Street Name	Apt. No.	City or Town	Zip		
	Signature (Same as Printed):				Date of Signature:	Month	Date	Year
4	Print Name:	First Name	Middle Name	Last Name	Birth Date:	Month	Date	Year
	Maryland Residence Address:	Street Number	Street Name	Apt. No.	City or Town	Zip		
	Signature (Same as Printed):				Date of Signature:	Month	Date	Year
5	Print Name:	First Name	Middle Name	Last Name	Birth Date:	Month	Date	Year
	Maryland Residence Address:	Street Number	Street Name	Apt. No.	City or Town	Zip		
	Signature (Same as Printed):				Date of Signature:	Month	Date	Year

Individual Circulator's printed or typed name _____

Residence Address _____

City _____ State _____ Zip _____

Telephone _____

Circulator's Affidavit Under penalties of perjury, I swear (or affirm) that: (a) I was at least 18 years old when each signature was obtained; (b) the information given to the left identifying me is true and correct; (c) I personally observed each signer as he or she signed this page; and (d) to the best of my knowledge and belief: (i) all signatures on this page are genuine; and (ii) all signers are registered voters of Maryland. (Sign and Date when signature collection is completed)

Circulator's Signature _____ Date (mm/dd/yy) _____

House Bill 438 – Civil Marriage Protection Act

(Explanation: CAPITALS indicate matter added to existing law; [Brackets] indicate matter deleted from existing law; Underlining indicates amendments to bill; ~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment).

Article – Family Law – Section 2-201 (as amended):

(A) THIS SECTION MAY NOT BE CONSTRUED TO INVALIDATE ANY OTHER PROVISION OF THIS TITLE.

(B) Only a marriage between [a man and a woman] TWO INDIVIDUALS WHO ARE NOT OTHERWISE PROHIBITED FROM MARRYING is valid in this State.

Article – Family Law – Section 2-202 (as amended):

(a) Any marriage performed in this State that is prohibited by this section is void.

(b) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL'S: [(i) grandmother; (ii) mother; (iii) daughter; (iv) sister; or (v) granddaughter. (2) A woman may not marry her: (i) grandfather; (ii) father; (iii) son; (iv) brother; or (v) grandson] (I) GRANDPARENT; (II) PARENT; (III) CHILD; (IV) SIBLING; OR (V) GRANDCHILD.

[(3)] (2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$1,500.

(c) (1) [A man] AN INDIVIDUAL may not marry [his] THE INDIVIDUAL'S: [(i) grandfather's wife; (ii) wife's grandmother; (iii) father's sister; (iv) mother's sister; (v) stepmother; (vi) wife's mother; (vii) wife's daughter; (viii) son's wife; (ix) grandson's wife; (x) wife's granddaughter; (xi) brother's daughter; or (xii) sister's daughter. (2) A woman may not marry her: (i) grandmother's husband; (ii) husband's grandfather; (iii) father's brother; (iv) mother's brother; (v) stepfather; (vi) husband's father; (vii) husband's son; (viii) daughter's husband; (ix) husband's grandson; (x) brother's son; (xi) sister's son; or (xii) granddaughter's husband] (I) GRANDPARENT'S SPOUSE; (II) SPOUSE'S GRANDPARENT; (III) PARENT'S SIBLING; (IV) STEPPARENT; (V) SPOUSE'S PARENT; (VI) SPOUSE'S CHILD; (VII) CHILD'S SPOUSE; (VIII) GRANDCHILD'S SPOUSE; (IX) SPOUSE'S GRANDCHILD; OR (X) SIBLING'S CHILD. [(3)] (2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.

SECTION 2. AND BE IT FURTHER ENACTED, That an official of a religious order or body authorized by the rules and customs of that order or body to perform a marriage ceremony may not be required to solemnize or officiate any particular marriage or religious rite of any marriage in violation of the right to free exercise of religion guaranteed by the First Amendment to the United States Constitution and by the Maryland Constitution and Maryland Declaration of Rights. Each religious organization, association, or society has exclusive control over its own theological doctrine, policy teachings, and beliefs regarding who may marry within that faith. An official of a religious order or body authorized to join individuals in marriage under § 2-406(a)(2)(i) of the Family Law Article and who fails or refuses to join individuals in marriage is not subject to any fine or other penalty for the failure or refusal.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by a religious organization, association, or society; may not be required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual if the request for the services, accommodations, advantages, facilities, goods, or privileges is related to:

(1) the solemnization of a marriage or celebration of a marriage that is in violation of the entity's religious beliefs; or

(2) the promotion of marriage through any social or religious programs or services, in violation of the entity's religious beliefs, unless State or federal funds are received for that specific program or service.

(b) A refusal by an entity described in subsection (a) of this section, or of any individual who is employed by an entity described in subsection (a) of this section, to provide services, accommodations, advantages, facilities, goods, or privileges in accordance with subsection (a) of this section may not create a civil claim or cause of action or result in any State action to penalize, withhold benefits from, or discriminate against the entity or individual.

(c) Nothing in this Act shall be deemed or construed to prohibit any religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by a religious organization, association, or society, from limiting admission to or giving preferences to individuals of the same religion or denomination when otherwise permitted by law.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, a fraternal benefit society described in § 8-402 of the Insurance Article that is operated, supervised, or controlled by a religious organization may not be required to admit an individual as a member or to provide insurance benefits to an individual if to do so would violate the society's religious beliefs.

(b) A refusal by a fraternal benefit society described in subsection (a) of this section to admit an individual as a member or to provide insurance benefits to an individual may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from the fraternal benefit society.

SECTION 5. AND BE IT FURTHER ENACTED, That, if a petition to refer this Act to the people is filed with the Secretary of State in accordance with Article XVI of the Maryland Constitution and Title 6 of the Election Law Article, and a dispute arises as to the validity or sufficiency of the signatures required to complete the referendum petition as provided under Title 6 of the Election Law Article, this Act shall not take effect until the resolution of any litigation resulting from the dispute.

SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of Article 1, § 23 of the Annotated Code of Maryland, the provisions of this Act are not severable, and if any provision of this Act or the application thereof to any person or circumstances is held invalid for any reason in a court of competent jurisdiction, no other provision or application of this Act may be given effect and this Act shall be null and void.

SECTION 7. AND BE IT FURTHER ENACTED, That, subject to Section 5 of this Act, this Act shall take effect October 1, 2012 January 1, 2013.

*Mail Completed Form to: Maryland Marriage Alliance
P.O. Box 106, Annapolis, MD 21404*

*If you would like to hand deliver petitions, deliver to:
7484 Candlewood Road, Hanover, MD 21076*

*If you have any questions about the petition process, please contact
us by email at: petitions@marylandmarriagealliance.com
or by phone at (410)858-4030.*