

State of Kansas Constitutional Amendment

April 5, 2005

Explanatory statement. There is currently no constitutional provision regarding marriage. There is a statute, enacted by the legislature, that defines marriage as a civil contract between two persons who are of opposite sex and declares all other marriages to be contrary to public policy and void.

A vote for this proposition would amend the Kansas constitution to incorporate into it the definition of marriage as a civil contract between one man and one woman only and the declaration that any other marriage is contrary to public policy and void. The proposed constitutional amendment also would prohibit the state from recognizing any other legal relationship that would entitle the parties in the relationship to the rights or incidents of marriage.

A vote against this proposition would not amend the constitution, in which case the current statute that defines marriage would remain unchanged but could be amended by future acts of the legislature or modified by judicial interpretation.

Ballot Question

Shall the following be adopted?

§ 16. Marriage (a) The marriage contract is to be considered in law as a civil contract. Marriage shall be constituted by one man and one woman only. All other marriages are declared to be contrary to the public policy of this state and are void.

(b) No relationship, other than a marriage, shall be recognized by the state as entitling the parties to the rights or incidents of marriage.

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