

ALASKA STATE LEGISLATURE



REPRESENTATIVE ANDY JOSEPHSON

Sponsor Statement

House Bill 15: Marriage and Spouses

Given the recent Supreme Court ruling in *Obergefell v. Hodges* (2015), and the District Court ruling in *Hamby v. Parnell* (2014), which both decided that state-level bans on same-sex marriage are unconstitutional, it falls upon the state legislature to recognize the legal legitimacy of same-sex marriage.

House Bill 15 addresses gendered language in existing statutes, and replaces the terms “husband” and “wife” with non-gendered language such as “spouse”, “person”, and “parent” where applicable. It addresses statutes regarding the divorce or dissolution of a marriage, adopting children, custody of shared children, the power-of-attorney over a spouse, property ownership, spousal immunity and the marital communications. Additionally, there are many housekeeping changes such as changing ‘the’ mother or father to ‘a’ mother or father.

House Bill 15 is not a civil rights bill, rather it is a necessary cleanup, or update of statute to reflect the true rule of law. This legislation extends no additional rights to the LGBTQ community that they do not already possess, even though our state statutes still appear to be discriminatory in nature. As they are today, the current statutes addressed in House Bill 15 are unenforceable and outdated, and if adopted, this legislation will enact no substantive change but rather will bring our laws up to date with state and national court decisions. The purpose of this bill is to make these required changes sooner rather than later and in an omnibus rather than piecemeal fashion.

I invite you to discuss this issue with me further and urge you to support this legislation.

Please contact my staff Megan Holland with any questions: 465-4939,
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