

**SENATE BILL NO. 308**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 3/14/96

Referred: HES, JUD

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act clarifying a statute relating to persons who may legally marry; relating  
2 to same-sex marriages; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 25.05.011(a) is amended to read:

5 (a) Marriage is a civil contract entered into by one man and one woman  
6 that requires [REQUIRING] both a license and solemnization. The man and the  
7 woman must each be at least one of the following: [THAT MAY BE ENTERED  
8 INTO BY]

9 (1) [A PERSON WHO IS] 18 years of age or older and [, WHO IS]  
10 otherwise capable;

11 (2) qualified [THOSE WHO QUALIFY] for a license under  
12 AS 25.05.171; or

13 (3) a member of the armed forces of the United States while on active  
14 duty.

1     \* **Sec. 2.** AS 25.05 is amended by adding a new section to read:

2             Sec. 25.05.013. SAME-SEX MARRIAGES. (a) A marriage entered into by  
3             persons of the same sex, either under common law or under statute, that is recognized  
4             by another state or foreign jurisdiction is void in this state, and contractual rights  
5             granted by virtue of the marriage, including its termination, are unenforceable in this  
6             state.

7             (b) A same-sex relationship may not be recognized by the state as being  
8             entitled to the benefits of marriage.

9     \* **Sec. 3.** APPLICABILITY. AS 25.05.013, enacted by sec. 2 of this Act, applies to all  
10    marriages entered into in other jurisdictions, whether entered into before, on, or after the  
11    effective date of this Act.

12    \* **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).