



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5662 (Substitute H-1 as passed by the House)
Sponsor: Representative Deborah Whyman
House Committee: Human Services

CONTENT

The bill would amend Public Act 168 of 1939, which provides for the validation of marriages contracted by residents of the State and solemnized in another state by authorized persons, to limit its provisions to marriages contracted between a man and a woman, and to specify that the provisions validating out-of-State marriages would not apply to a marriage contracted between individuals of the same sex, which marriage would be invalid in this State.

The bill specifies, "This state recognizes marriage as inherently a unique relationship between a man and a woman...", as prescribed by Chapter 83 of the Revised Statutes of 1846 (entitled "Of marriage and the solemnization thereof"), "and therefore a marriage that is not between a man and a woman is invalid in this state regardless of whether the marriage is contracted according to the laws of another jurisdiction".

The bill is tie-barred to Senate Bill 937, which would amend Chapter 83 of the Revised Statutes of 1846, to specify that marriage was a civil contract between a man and a woman, and to prohibit a man from marrying another man, and a woman from marrying another woman.

MCL 551.271

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have an indeterminate fiscal impact. The amount would depend on the number of additional individuals who would be eligible for spousal benefits if the bills were not enacted. These include insurance, retirement benefits, and other legal rights.

Date Completed: 6-4-96

Fiscal Analyst: M. Bain