



MARRIAGE

ISSUE: Senate Bill 582/House Bill 808 - Legalization of Same-Sex Marriage
SPONSORS: Sen. Richard Madaleno (District 18)/Del. Ben Barnes (Dist. 21)
MCC POSITION: OPPOSE

ISSUE: Senate Bill 852 –Foreign Same-Sex Marriage – Invalidity
SPONSOR: Sen. Norman Stone (District 6)
MCC POSITION: SUPPORT

COMMITTEES: Senate Judicial Proceedings (JPR)
House Judiciary (JUD)

TALKING POINTS:

- Civil marriage is reserved to the union of one man and one woman because only a mother and father can bring children – society’s next generation – into the world.
- Evidence from a majority of states, including California and Maine, shows that the public overwhelmingly supports the traditional definition of marriage. This decision belongs before Maryland’s state legislature and the people who elected them, and should not be decided by out-of-state courts or jurisdictions.
- Redefining marriage could infringe upon the religious liberties of institutions and individuals.
- Support for traditional marriage should not be equated with bigotry against homosexual persons, who deserve to be treated with respect and compassion.



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LEGISLATION: Senate Bill 582/House Bill 808-Legalization of Same-Sex Marriage - **OPPOSE**
Senate Bill 852 – Foreign Same-Sex Marriage – Invalidity – **SUPPORT**

BACKGROUND: In 2007, the Maryland Court of Appeals upheld the constitutionality of the Maryland statute defining marriage as between a man and a woman, but acknowledged that the legislature may “grant and recognize for homosexual persons civil unions or the right to marry a person of the same sex.” Since then, legislation has repeatedly been introduced to legalize same-sex marriage or civil unions in Maryland. There are now 3 laws that provide for domestic partnerships in parts of the health and tax codes.

More recently, Maryland’s attorney general has been considering whether the state’s law permits recognition of same-sex marriages performed in other states. Past attorney general opinions have made clear that Maryland’s marriage statute does not recognize “foreign” same-sex marriages; an opposite ruling would undermine state law, and the democratic process for deciding this important issue. Senate Bill 852 would make it explicit in state law that Maryland’s marriage statute precludes recognition of “foreign” same-sex marriages.

Recognizing the important role marriage plays in securing a stable foundation for society, the Church supports efforts to preserve traditional marriage, and opposes efforts to alter the legal definition of marriage. The Church opposes legislation to permit same-sex marriages or civil unions and domestic partnerships, since the legal definition of a civil union or domestic partnership is essentially the same as that of a same-sex marriage. The Church does not necessarily oppose granting certain benefits to couples who are not married, such as medical decision making rights, as long as the proposals do not impose requirements on private institutions contrary to their moral or religious beliefs, or create an alternative legal definition of marriage.

The title of Senate Bill 582/House Bill 808 to legalize same-sex marriage, the *Religious Freedom and Civil Marriage Protection Act*, is misleading: The bill *does not expand religious freedom* and it *does not protect civil marriage*. Rather, it attempts to redefine marriage, and could actually infringe upon the religious liberties of institutions and individuals. Voters in California, Maine and 29 other states continue to vote to uphold the traditional definition of marriage – displaying the overwhelming support for marriage as the union of one man and one woman.

CHURCH TEACHING: “The marital union also provides the best conditions for raising children: namely, the stable, loving relationship of a mother and father present only in marriage. The state rightly recognizes this relationship as a public institution in its laws because the relationship makes a unique and essential contribution to the common good.” (*Between Man and Woman, USCCB, 2003*)

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