

1 AN ACT
2 relating to the recognition of a same-sex marriage or a civil union.

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

4 SECTION 1. Subchapter C, Chapter 6, Family Code, is amended
5 by adding Section 6.204 to read as follows:

6 Sec. 6.204. RECOGNITION OF SAME-SEX MARRIAGE OR CIVIL
7 UNION. (a) In this section, "civil union" means any relationship
8 status other than marriage that:

9 (1) is intended as an alternative to marriage or
10 applies primarily to cohabitating persons; and

11 (2) grants to the parties of the relationship legal
12 protections, benefits, or responsibilities granted to the spouses
13 of a marriage.

14 (b) A marriage between persons of the same sex or a civil
15 union is contrary to the public policy of this state and is void in
16 this state.

17 (c) The state or an agency or political subdivision of the
18 state may not give effect to a:

19 (1) public act, record, or judicial proceeding that
20 creates, recognizes, or validates a marriage between persons of the
21 same sex or a civil union in this state or in any other
22 jurisdiction; or

23 (2) right or claim to any legal protection, benefit,
24 or responsibility asserted as a result of a marriage between

1 persons of the same sex or a civil union in this state or in any
2 other jurisdiction.

3 SECTION 2. The legislature finds that through the
4 designation of guardians, the appointment of agents, and the use of
5 private contracts persons may adequately and properly appoint
6 guardians and arrange rights relating to hospital visitation,
7 property, and the entitlement to proceeds of life insurance
8 policies without the existence of any legally recognized familial
9 relationship between the persons.

10 SECTION 3. This Act applies to a same-sex marriage or a
11 civil union regardless of whether the marriage or civil union was
12 entered into before, on, or after the effective date of this Act.

13 SECTION 4. This Act takes effect immediately if it receives
14 a vote of two-thirds of all the members elected to each house, as
15 provided by Section 39, Article III, Texas Constitution. If this
16 Act does not receive the vote necessary for immediate effect, this
17 Act takes effect September 1, 2003.

David Newkum

President of the Senate

John C. ...

Speaker of the House

I hereby certify that S.B. No. 7 passed the Senate on April 15, 2003, by a viva-voce vote; and that the Senate concurred in House amendments on May 13, 2003, by a viva-voce vote. _____

Lacey Saw

Secretary of the Senate

I hereby certify that S.B. No. 7 passed the House, with amendments, on April 30, 2003, by the following vote: Yeas 118, Nays 9, three present not voting. _____

Robert Nancy

Chief Clerk of the House

Approved:

27 May '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
9:52 AM O'CLOCK

MAY 28 2003
Ann Shea
Secretary of State