

First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 05-0675.01 Beth Kane

SENATE BILL 05-140

SENATE SPONSORSHIP

Lamborn, and May R.

HOUSE SPONSORSHIP

Harvey, Lundberg, and Schultheis

Senate Committees

State, Veterans & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING LIMITING THE LEGAL IMPLICATIONS OF MARRIAGE TO A
102 MARITAL RELATIONSHIP BETWEEN TWO MEMBERS OF THE
103 OPPOSITE SEX.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Prohibits a relationship that is not a marriage between one man and one woman from receiving, in the state of Colorado, the totality of legal benefits, protections, and responsibilities that uniquely accrue to persons in a relationship of marriage between one man and one woman by operation of Colorado law, whether the relationship was entered into in the state of Colorado or in another state.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** Part 1 of article 2 of title 14, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **14-2-104.5. Defense of marriage.** (1) IT SHALL BE THE PUBLIC
6 POLICY OF THE STATE OF COLORADO THAT, IN ORDER TO FULLY
7 EFFECTUATE THE FEDERAL "DEFENSE OF MARRIAGE ACT", 28 U.S.C. SEC.
8 1738C, AND PROTECT THE TRADITIONAL INSTITUTES OF MARRIAGE AND
9 FAMILY, ONLY THE UNIQUE RELATIONSHIP OF MARRIAGE BETWEEN ONE
10 MAN AND ONE WOMAN SHALL BE ENTITLED TO THE TOTALITY OF LEGAL
11 BENEFITS, PROTECTIONS, AND RESPONSIBILITIES OF MARRIAGE.

12 (2) NOTWITHSTANDING THE PROVISIONS OF SECTION 14-2-112, IT
13 IS THE PUBLIC POLICY OF THE STATE OF COLORADO THAT TWO OR MORE
14 PEOPLE WHO ENTER INTO ANY RELATIONSHIP, WHETHER KNOWN AS A
15 DOMESTIC PARTNERSHIP, A CIVIL UNION, OR BY ANY OTHER NAME, OTHER
16 THAN A MARRIAGE THAT MEETS THE REQUIREMENTS OF SECTION 14-2-104
17 (1) (b) SHALL NOT BE ENTITLED TO THE TOTALITY OF LEGAL BENEFITS,
18 PROTECTIONS, AND RESPONSIBILITIES THAT UNIQUELY ACCRUE TO PERSONS
19 IN A RELATIONSHIP OF MARRIAGE BETWEEN ONE MAN AND ONE WOMAN BY
20 OPERATION OF THE LAWS OF COLORADO.

21 (3) THE PROHIBITION OF SUBSECTION (2) OF THIS SECTION SHALL
22 APPLY TO ANY RELATIONSHIP ENTERED INTO WITHIN OR OUTSIDE OF THIS
23 STATE THAT ATTEMPTS TO GAIN ENTITLEMENT TO THE TOTALITY OF LEGAL
24 BENEFITS, PROTECTIONS, AND RESPONSIBILITIES THAT UNIQUELY ACCRUE
25 TO PERSONS IN A RELATIONSHIP OF MARRIAGE BETWEEN ONE MAN AND ONE
26 WOMAN BY OPERATION OF THE LAWS OF COLORADO, NOTWITHSTANDING

1 THE PROVISIONS OF SECTION 14-2-112.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.