



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0358/1  
PJD:kjf:jf

**SENATE SUBSTITUTE AMENDMENT 16,  
TO 2005 SENATE JOINT RESOLUTION 53**

December 6, 2005 – Offered by Senator CARPENTER.

1 **To create** section 13 of article XIII of the constitution; **relating to:** providing that  
2 only a marriage between one man and one woman shall be valid or recognized  
3 as a marriage in this state (first consideration).

---

***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2005 legislature on first consideration, provides that only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. However, this proposed constitutional amendment does not impair any rights, rules, or administrative procedures, which exist on the date of ratification of this amendment, regarding inheritance or probate.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

---

4 ***Resolved by the senate, the assembly concurring, That:***  
5 **SECTION 1.** Section 13 of article XIII of the constitution is created to read:  
6 [Article XIII] Section 13. Only a marriage between one man and one woman  
7 shall be valid or recognized as a marriage in this state. However, this section does

1 not impair any rights, rules, or administrative procedures, which exist on the date  
2 of ratification of this amendment, regarding inheritance or probate.

3 **SECTION 2. Numbering of new provision.** The new section 13 of article XIII  
4 of the constitution created in this joint resolution shall be designated by the next  
5 higher open whole section number in that article if, before the ratification by the  
6 people of the amendment proposed in this joint resolution, any other ratified  
7 amendment has created a section 13 of article XIII of the constitution of this state.  
8 If one or more joint resolutions create a section 13 of article XIII simultaneously with  
9 the ratification by the people of the amendment proposed in this joint resolution, the  
10 sections created shall be numbered and placed in a sequence so that the sections  
11 created by the joint resolution having the lowest enrolled joint resolution number  
12 have the numbers designated in that joint resolution and the sections created by the  
13 other joint resolutions have numbers that are in the same ascending order as are the  
14 numbers of the enrolled joint resolutions creating the sections.

15 ***Be it further resolved, That*** this proposed amendment be referred to the  
16 legislature to be chosen at the next general election and that it be published for 3  
17 months previous to the time of holding such election.

18 (END)