



State of Wisconsin
2005 - 2006 LEGISLATURE

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**SENATE SUBSTITUTE AMENDMENT 2,
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 and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized 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 domestic violence.

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. A legal status identical or

1 substantially similar to that of marriage for unmarried individuals shall not be valid
2 or recognized in this state. However, this section does not impair any rights, rules,
3 or administrative procedures, which exist on the date of ratification of this
4 amendment, regarding domestic violence.

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

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

20 (END)