

2024 Regular Session

HOUSE BILL NO. 126

BY REPRESENTATIVE MANDIE LANDRY

MARRIAGE: Provides relative to recognition of marriages from other states

1 AN ACT

2 To amend and reenact Civil Code Article 3520, relative to marriage; to provide for
3 recognition of marriages from other states; to provide for valid marriages; to provide
4 for an effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 3520 is hereby amended and reenacted to read as
7 follows:

8 Art. 3520. Marriage

9 A. A marriage that is valid in the state where contracted, or in the state where
10 the parties were first domiciled as ~~husband and wife~~ a married couple, shall be
11 treated as a valid marriage ~~unless to do so would violate a strong public policy of the~~
12 ~~state whose law is applicable to the particular issue under Article 3519.~~

13 ~~B. A purported marriage between persons of the same sex violates a strong~~
14 ~~public policy of the state of Louisiana and such a marriage contracted in another state~~
15 ~~shall not be recognized in this state for any purpose, including the assertion of any~~
16 ~~right or claim as a result of the purported marriage.~~

17 Section 2. This Act shall take effect and become operative if and when the proposed
18 amendment of Article XII, Section 15 of the Constitution of Louisiana contained in the Act
19 which originated as House Bill No. 98 of this 2024 Regular Session of the Legislature is
20 adopted at a statewide election and becomes effective.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 126 Original

2024 Regular Session

Mandie Landry

Abstract: Provides that marriages from other states shall be treated as a valid marriage.

Present law provides that a marriage is valid in the state where contracted, or in the state where the parties were first domiciled as husband and wife unless to do so would violate public policy of the state whose law is applicable.

Proposed law provides that a marriage that is valid in the state where contracted or in the state where the parties were first domiciled as a married couple shall be treated as a valid marriage.

Present law provides that a marriage between persons of the same sex violates a strong public policy of the state and such marriage contracted in another state shall not be recognized in this state for any purpose.

Proposed law repeals present law.

Proposed law is contingent upon the passage of the Act that originated as H.B. No. 98 of the 2024 R.S.

(Amends C.C. Art. 3520)