

HOUSE BILL No. 2641

By Representatives S. Ruiz and Woodard

2-12

1 AN ACT concerning marriage; relating to the recognition of marriages;
2 amending K.S.A. 2019 Supp. 23-2501, 23-2504 and 23-2508 and
3 repealing the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2019 Supp. 23-2501 is hereby amended to read as
7 follows: 23-2501. The marriage contract is to be considered in law as a
8 civil contract between two parties ~~who are of opposite sex~~. All other
9 marriages are declared to be contrary to the public policy of this state and
10 are void. The consent of the parties is essential. The marriage ceremony
11 may be regarded either as a civil ceremony or as a religious sacrament, but
12 the marriage relation shall only be entered into, maintained or abrogated as
13 provided by law.

14 Sec. 2. K.S.A. 2019 Supp. 23-2504 is hereby amended to read as
15 follows: 23-2504. (a) Marriage may be validly solemnized and contracted
16 in this state, after a license has been issued for the marriage, in the
17 following manner: By the mutual declarations of the two parties to be
18 joined in marriage, made before an authorized officiating person and in the
19 presence of at least two competent witnesses over 18 years of age, other
20 than the officiating person, that they ~~take each other as husband and wife~~
21 *desire to be married*.

22 (b) The following are authorized to be officiating persons:

23 (1) Any currently ordained clergyman or religious authority of any
24 religious denomination or society;

25 (2) any licentiate of a denominational body or an appointee of any
26 bishop serving as the regular clergyman of any church of the denomination
27 to which the licentiate or appointee belongs, if not restrained from so
28 doing by the discipline of that church or denomination;

29 (3) any judge or justice of a court of record;

30 (4) any municipal judge of a city of this state; and

31 (5) any retired judge or justice of a court of record.

32 (c) The two parties themselves, by mutual declarations that they ~~take~~
33 ~~each other as husband and wife~~ *desire to be married*, in accordance with
34 the customs, rules and regulations of any religious society, denomination
35 or sect to which either of the parties belong, may be married without an
36 authorized officiating person.

1 Sec. 3. K.S.A. 2019 Supp. 23-2508 is hereby amended to read as
2 follows: 23-2508. All marriages contracted without this state, ~~which that~~
3 would be valid by the laws of the country in which the same were
4 contracted, shall be valid in all courts and places in this state. ~~It is the~~
5 ~~strong public policy of this state only to recognize as valid marriages from~~
6 ~~other states that are between a man and a woman.~~

7 Sec. 4. K.S.A. 2019 Supp. 23-2501, 23-2504 and 23-2508 are hereby
8 repealed.

9 Sec. 5. This act shall take effect and be in force from and after its
10 publication in the statute book.