

LC00765

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2005

A N A C T

RELATING TO DOMESTIC RELATIONS -- PERSONS ELIGIBLE TO MARRY

Introduced By: Representatives Handy, Ajello, Fox, Moura, and E Coderre

Date Introduced: February 16, 2005

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 15-1-1, 15-1-2, 15-1-3 and 15-1-4 of the General Laws in Chapter
2 15-1 entitled "Persons Eligible to Marry" are hereby amended to read as follows:

3 ~~15-1-1. Men forbidden to marry kindred. Equal access to marriage. -- No man shall~~
4 ~~marry his mother, grandmother, daughter, son's daughter, daughter's daughter, stepmother,~~
5 ~~grandfather's wife, son's wife, son's son's wife, daughter's son's wife, wife's mother, wife's~~
6 ~~grandmother, wife's daughter, wife's son's daughter, wife's daughter's daughter, sister, brother's~~
7 ~~daughter, sister's daughter, father's sister, or mother's sister. Any person who otherwise meets the~~
8 ~~eligibility requirements of chapters 15-1 and 15-2 may marry any other eligible person regardless~~
9 ~~of gender.~~

10 ~~15-1-2. Women forbidden to marry kindred. Marrying kindred forbidden. -- No~~
11 ~~woman shall marry her father, grandfather, son, son's son, daughter's son, stepfather,~~
12 ~~grandmother's husband, daughter's husband, son's daughter's husband, daughter's daughter's~~
13 ~~husband, husband's father, husband's grandfather, husband's son, husband's son's son, husband's~~
14 ~~daughter's son, brother, brother's son, sister's son, father's brother, or mother's brother. No person~~
15 ~~shall marry his or her parent, grandparent, child, grandchild, stepparent, grandparent's spouse,~~
16 ~~child's spouse, grandchild's spouse, spouse's parent, spouse's grandparent, spouse's child, spouse's~~
17 ~~grandchild, sibling, sibling's child or parent's sibling.~~

18 ~~15-1-3. Incestuous marriages void. -- If any man or woman person~~ intermarries within
19 the degrees stated in ~~section 15-1-1 or~~ section 15-1-2, the marriage shall be null and void.

1 **15-1-4. Marriages of kindred allowed by Jewish religion.** -- The provisions of sections
2 ~~15-1-1—15-1-3~~ 15-1-2 shall not extend to, or in any way affect, any marriage which shall be
3 solemnized among the Jewish people, within the degrees of affinity or consanguinity allowed by
4 their religion.

5 SECTION 2. Chapter 15-3 of the General Laws entitled "Solemnization of Marriages" is
6 hereby amended by adding thereto the following section:

7 **15-3-5.1. Protection of freedom of religion in marriage.** – (a) Each religious institution
8 has exclusive control over its own religious doctrine, policy, and teachings regarding who may
9 marry within their faith, and on what terms. No court or other state or local governmental body,
10 entity, agency or commission shall compel, prevent, or interfere in any way with any religious
11 institution's decisions about marriage eligibility within that particular faith's tradition.

12 (b) Clergy persons as described in section 15-3-5 or 15-3-6 of the general laws or other
13 persons otherwise authorized under law to officiate at a civil marriage shall not be obligated or
14 otherwise required by law to officiate at any particular civil marriage or religious rite of marriage.

15 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would broaden the definition of persons eligible to marry to include persons of
- 2 the same gender. This act would also provide that members of the clergy would not be required
- 3 to officiate at any particular marriage.
- 4 This act would take effect upon passage.

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