

1 *Amend Betty Beaudry/B* *Bill No 323* *Barry* *Feeling*  
 2 INTRODUCED BY *Wm. E. Schorski* *Clare* *Rehbein* *Adams*  
 3 *McLee* *Simpkins* *Wells* *Bergman* *Jore* *Winters* *James*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MARRIAGE BETWEEN PERSONS OF THE SAME  
 5 SEX; AND AMENDING SECTION 40-1-401, MCA." *Deveney* *Hayne* *Karter* *Hollan*  
 6 *Knox* *Jordan* *Town* *Uhner* *Ilmott* *Oh* *Jayson* *Case*  
 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Tom* *Book* *Boat*  
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Section 1. Section 40-1-401, MCA, is amended to read:

"40-1-401. Prohibited marriages. (1) The following marriages are prohibited:

(a) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties;

(b) a marriage between an ancestor and a descendant or between a brother and a sister, whether the relationship is by the half or the whole blood, or between first cousins;

(c) a marriage between an uncle and a niece or between an aunt and a nephew, whether the relationship is by the half or the whole blood;

(d) a marriage between persons of the same sex.

(2) Parties to a marriage prohibited under this section who cohabit after removal of the impediment are lawfully married as of the date of the removal of the impediment.

(3) Children born of a prohibited marriage are legitimate."

-END-

MISSISSIPPI  
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1 *Amend Betty Beaudry HB* *323* *John* *Bar* *Jim* *Felix*  
 2 INTRODUCED BY *Wm. E. Echarski* *John* *Bar* *Jim* *Felix*  
 3 *McLer Simpkins Wells Bergman* *John* *Bar* *Jim* *Felix*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MARRIAGE BETWEEN PERSONS OF THE SAME  
 5 SEX; AND AMENDING SECTION 40-1-401, MCA." *John* *Bar* *Jim* *Felix*  
 6 *Knox* *John* *Bar* *Jim* *Felix*  
 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *John* *Bar* *Jim* *Felix*  
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 9

Section 1. Section 40-1-401, MCA, is amended to read:

"40-1-401. Prohibited marriages. (1) The following marriages are prohibited:

- (a) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties;
  - (b) a marriage between an ancestor and a descendant or between a brother and a sister, whether the relationship is by the half or the whole blood, or between first cousins;
  - (c) a marriage between an uncle and a niece or between an aunt and a nephew, whether the relationship is by the half or the whole blood;
  - (d) a marriage between persons of the same sex.
- (2) Parties to a marriage prohibited under this section who cohabit after removal of the impediment are lawfully married as of the date of the removal of the impediment.
- (3) Children born of a prohibited marriage are legitimate."

-END-

1 *Amend Betty Beaudry/B* *Bill No 323* *Mr. Dan Fetter*  
 2 INTRODUCED BY Wm. E. Bohorski *Phyllis Clark Rehbein*  
 3 *McLee Simpkins Wells Bergman Gene* *Winters James*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MARRIAGE BETWEEN PERSONS OF THE SAME  
 5 SEX; AND AMENDING SECTION 40-1-401, MCA." *Devin Hayne Kater*  
 6 *Knox Julia T. Jones Ahner Kenneth Ols* *Gayle Carl*  
 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Donna Cook*  
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Section 1. Section 40-1-401, MCA, is amended to read:

"40-1-401. Prohibited marriages. (1) The following marriages are prohibited:

- (a) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties;
  - (b) a marriage between an ancestor and a descendant or between a brother and a sister, whether the relationship is by the half or the whole blood, or between first cousins;
  - (c) a marriage between an uncle and a niece or between an aunt and a nephew, whether the relationship is by the half or the whole blood;
  - (d) a marriage between persons of the same sex.
- (2) Parties to a marriage prohibited under this section who cohabit after removal of the impediment are lawfully married as of the date of the removal of the impediment.
- (3) Children born of a prohibited marriage are legitimate."

-END-

Curtiss  
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*Almond Betty Beaudry/B* *Bill No 323* *Mr. Dan Felt*

2 INTRODUCED BY *Wm. E. Echarski* *Frank Rehbein*

3 *McLain Simpkins* *Willa Bergman* *Jane* *in House* *Jim*

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MARRIAGE BETWEEN PERSONS OF THE SAME

5 SEX; AND AMENDING SECTION 40-1-401, MCA." *Deborah Hayne* *Kate* *Helen*

6 *Knox* *Jane* *Town* *Walter* *Ullrich* *Oh* *Gayne* *Bob*

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: *Sam* *John* *Paul*

8  
9 Section 1. Section 40-1-401, MCA, is amended to read:

10 "40-1-401. Prohibited marriages. (1) The following marriages are prohibited:

11 (a) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties;

12 (b) a marriage between an ancestor and a descendant or between a brother and a sister, whether

13 the relationship is by the half or the whole blood, or between first cousins;

14 (c) a marriage between an uncle and a niece or between an aunt and a nephew, whether the

15 relationship is by the half or the whole blood;

16 (d) a marriage between persons of the same sex.

17 (2) Parties to a marriage prohibited under this section who cohabit after removal of the impediment

18 are lawfully married as of the date of the removal of the impediment.

19 (3) Children born of a prohibited marriage are legitimate."

20 -END-

## 1 HOUSE BILL NO. 323

2 INTRODUCED BY BOHARSKI, PROUSE, CLARK, REHBEIN, ADAMS, MCGEE, SIMPKINS, WELLS,  
3 BERGMAN, JORE, WALTERS, GRIMES, KNOX, JENKINS, TOEWS, AHNER, DEVANEY, HAYNE,  
4 KASTEN, ARNOTT, OHS, HARGROVE, HOLLAND, BOOKOUT, SIMON, ZOOK, CURTISS, ORR, MOOD,  
5 BITNEY, BEAUDRY, ESTRADA, BAER, KEATING, GAGE, M. HANSON  
6

7 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING MARRIAGE BETWEEN PERSONS OF THE SAME  
8 SEX; PROVIDING THAT CERTAIN CONTRACTS ARE AGAINST PUBLIC POLICY; AND AMENDING SECTION  
9 40-1-401, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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13 **Section 1.** Section 40-1-401, MCA, is amended to read:

14 **"40-1-401. Prohibited marriages -- CONTRACTS.** (1) The following marriages are prohibited:

15 (a) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties;

16 (b) a marriage between an ancestor and a descendant or between a brother and a sister, whether  
17 the relationship is by the half or the whole blood, or between first cousins;

18 (c) a marriage between an uncle and a niece or between an aunt and a nephew, whether the  
19 relationship is by the half or the whole blood;

20 (d) a marriage between persons of the same sex.

21 (2) Parties to a marriage prohibited under this section who cohabit after removal of the impediment  
22 are lawfully married as of the date of the removal of the impediment.

23 (3) Children born of a prohibited marriage are legitimate.

24 (4) A CONTRACTUAL RELATIONSHIP ENTERED INTO FOR THE PURPOSE OF ACHIEVING A CIVIL  
25 RELATIONSHIP THAT IS PROHIBITED UNDER SUBSECTION (1) IS VOID AS AGAINST PUBLIC POLICY."  
26

-END-