

114TH CONGRESS
1ST SESSION

H. R. 824

To amend chapter 1 of title 1, United States Code, with regard to the definition of “marriage” and “spouse” for Federal purposes and to ensure respect for State regulation of marriage.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2015

Mr. WEBER of Texas (for himself, Mr. PALAZZO, Mr. SESSIONS, Mr. FINCHER, Mr. MASSIE, Mr. BISHOP of Utah, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. SAM JOHNSON of Texas, Mr. DESJARLAIS, Mr. POMPEO, Mr. MILLER of Florida, Mr. COLLINS of Georgia, Mr. PITTS, Mr. BOUSTANY, Mr. OLSON, Mr. LATTA, Mr. PALMER, Mr. FARENTHOLD, Mr. FLORES, Mr. PEARCE, Mr. NEUGEBAUER, Mr. LAMALFA, and Mr. JONES) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend chapter 1 of title 1, United States Code, with regard to the definition of “marriage” and “spouse” for Federal purposes and to ensure respect for State regulation of marriage.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Marriage De-
5 fense Act of 2015”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Congress affirms the States’ legitimate and
4 proper public policy interests in regulating domestic
5 relations and in defining marriage for the residents
6 of their States.

7 (2) Despite striking down section 3 of the De-
8 fense of Marriage Act, the Supreme Court ruling in
9 United States v. Windsor did not institute a new
10 Federal definition of marriage that includes same
11 sex marriage. Instead, United States v. Windsor spe-
12 cifically required the Federal Government to defer to
13 “state sovereign choices about who may be married”
14 in determining marital status for Federal purposes.

15 (3) Congress recognizes that current actions by
16 the Federal Government to afford benefits to certain
17 relationships not recognized as marriages by a per-
18 son’s State of residence go beyond the Supreme
19 Court’s ruling in United States v. Windsor. These
20 Federal actions create “two contradictory marriage
21 regimes within the same State,” in direct contradic-
22 tion of United States v. Windsor.

23 (4) Actions taken by the Federal Government
24 to grant recognition of marital status for persons
25 not recognized as married in their State of domicile

1 undermine a State’s legitimate authority to define
2 marriage for its residents.

3 **SEC. 3. AMENDMENT TO DEFINITION OF MARRIAGE FOR**
4 **FEDERAL PURPOSES.**

5 Section 7 of title 1, United States Code, is amended
6 to read as follows:

7 **“§ 7. Definition of ‘Marriage’ and ‘Spouse’**

8 “In determining the meaning of any Act of Congress,
9 or of any ruling, regulation, or interpretation of the var-
10 ious administrative bureaus and agencies of the United
11 States, as applied with respect to individuals domiciled in
12 a State or in any other territory or possession of the
13 United States the term ‘marriage’ shall not include any
14 relationship which that State, territory, or possession does
15 not recognize as a marriage, and the term ‘spouse’ shall
16 not include an individual who is a party to a relationship
17 that is not recognized as a marriage by that State, terri-
18 tory, or possession.”.

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