

## Report on Public Policy Position

**Name of section:**

Family Law Section

**Contact person:**

Kent Weichmann

**E-mail:**

[weichmann@earthlink.net](mailto:weichmann@earthlink.net)

**Bill Number:**

[HJR NN](#) (Byrnes) Family law; marriage and divorce; constitutional prohibition of same-sex marriages; repeal. Amends the state constitution by repealing sec. 25 of art. I.

[HB 5587](#) (Byrnes) Family law; marriage and divorce; prohibition on same-sex marriage; remove. Amends secs. 2, 3 & 9 of 1846 RS 83 (MCL [551.2](#) et seq.); adds sec. 8 & repeals secs. 1 & 4 of 1846 RS 84 (MCL [551.1](#) & [551.4](#)).

[HB 5588](#) (Byrnes) Family law; marriage and divorce; prohibition of same-sex marriage; remove from foreign marriage act. Amends sec. 1 of [1939 PA 168](#) (MCL [551.271](#)) & repeals sec. 2 of 1939 PA 168 (MCL [551.272](#)).

**Date position was adopted:**

February 6, 2010

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

16 Voted for position

0 Voted against position

0 Abstained from vote

5 Did not vote

**Position:**

Support

**Explanation of the position, including any recommended amendments:**

HJR NN proposes to submit a constitutional amendment at the next general election, repealing the amendment which bans any recognition of same gender unions.

HB 5587 amends the statute regarding validity of marriages to allow same gender unions, but makes it clear that no religious official may be compelled to solemnize any particular marriage.

HB 5588 would recognize same gender unions of other states.

This resolution and accompanying bills seek to reverse the effects of State Proposal 04-02, which have proven to be unjust and discriminatory, depriving same gender partners of any legal recognition. This has included preventing citizens from receiving medical benefits from their partner's insurance. The Family Law Section believes that Michigan should end homophobic discrimination. We support this resolution and accompanying bills.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2009-HJR-NN>

<http://legislature.mi.gov/doc.aspx?2009-HB-5587>

<http://legislature.mi.gov/doc.aspx?2009-HB-5588>