

111TH CONGRESS
2D SESSION

H. R. 4430

To protect the democratic process and the right of the people of the District of Columbia to define marriage.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2010

Mr. CHAFFETZ (for himself and Mr. JORDAN of Ohio) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To protect the democratic process and the right of the people of the District of Columbia to define 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 “District of Columbia
5 Referendum on Marriage Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) a broad coalition of residents of the District
9 of Columbia petitioned for an initiative in accord-
10 ance with the District of Columbia Home Rule Act

1 to establish that “only marriage between a man and
2 a woman is valid or recognized in the District of Co-
3 lumbia”;

4 (2) this petition anticipated the Council of the
5 District of Columbia’s passage of an Act legalizing
6 same-sex marriage;

7 (3) the unelected District of Columbia Board of
8 Elections and Ethics and the unelected District of
9 Columbia Superior Court thwarted the residents’ ini-
10 tiative effort to define marriage democratically, hold-
11 ing that the initiative amounted to discrimination
12 prohibited by the District of Columbia Human
13 Rights Act; and

14 (4) the definition of marriage affects every per-
15 son and should be debated openly and democrat-
16 ically.

17 **SEC. 3. REFERENDUM OR INITIATIVE REQUIREMENT.**

18 Notwithstanding any other provision of law, including
19 the District of Columbia Human Rights Act, the govern-
20 ment of the District of Columbia shall not issue a mar-
21 riage license to any couple of the same sex until the people
22 of the District of Columbia have the opportunity to hold
23 a referendum or initiative on the question of whether the

1 District of Columbia should issue same-sex marriage li-
2 censes.

