



## CWA of California Marriage Update

August 11, 2005

### What will the ProtectMarriage amendment do?

#### *Answering common questions*

We find that today many laws, whether put in place by the legislature or by a people's initiative, wind up being reviewed in the courts. Often the question about specific language is, "Will it pass constitutional muster?" To that end, the ProtectMarriage.com coalition has prepared answers to common questions asked about the initiative and its language.

We have listed these below, but they may also be viewed on the coalition's [Web site](#).



***What would the ProtectMarriage constitutional amendment do?*** Answer: If passed, the Protect Marriage Amendment would add the following to the state constitution: "A marriage between a man and a woman is the only legal union that shall be valid or recognized in this state." Eighteen other states have voted to amend their constitutions in a similar way.

***Would the ProtectMarriage Amendment allow "homosexual marriage by a different name?"*** Answer: No. By recognizing marriage between a man and a woman as the only legal union in California, this amendment would prevent any law from recognizing, or giving rights on the basis of, other personal relationships that attempt to imitate marriage, such as homosexual "domestic partnerships" or "civil unions."

***Would the ProtectMarriage Amendment allow the Legislature to give, or require private employers to give, the legal rights and benefits of married spouses to other relationships, such as "domestic partnerships?"*** Answer: No. Since marriage would be the only legal union that may be recognized under the ProtectMarriage Amendment, no other adult relationships that attempt to imitate marriage could be legally recognized. Since no other type of intimate union would be legally recognized, it logically follows that there would also be no basis upon which to confer rights, benefits, or obligations on such un- recognized relationships.

***Would the ProtectMarriage Amendment interfere with private domestic agreements between unmarried adults?*** Answer: No. California will still continue to recognize the ability of all individual couples to enter into private, enforceable agreements for mutual support and joint ownership of property (sometimes called Marvin agreements). Such agreements only involve rights and obligations as between two individuals; they do not implicate government recognition of those relationships or rights and benefits conferred by law.

***Would the ProtectMarriage Amendment preserve the rights, benefits, and legal status of marriage for only a man and a woman?*** Answer: Yes! Since traditional marriage would be the only legally recognized union in California, no other type of relationship could be given the legal status of married spouses.

## Obtain Petitions:

If you haven't ordered petitions yet, please contact the coalition and obtain forms for your church or other group. We need to gather 600,000 valid signatures in just 150 days, so don't wait!

Petitions are available online at [www.protectmarriage.com](http://www.protectmarriage.com) now! These downloadable forms will accommodate five signatures. For longer forms to be used with churches and other groups, please request petitions through the coalition [Web site](#) or call (916) 446-5031.

*Please do not make copies of the petition forms. Doing so may disqualify the signatures. Use ONLY originals.*

[Visit the coalition Web site.](#)

[Visit our Web site.](#)

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