



FAMILY ACTION COUNCIL OF TENNESSEE

SENATE BILL 562/
HOUSE BILL 233

CONFIDENTIAL

LEGISLATOR MESSAGING MEMO

MARITAL CONTRACT RECORDING ACT

LEGISLATORS HAVE AN OBLIGATION TO ENSURE THAT STATE LAW DOES NOT INFRINGE ON OR ABOLISH NATURAL, GOD-GIVEN RIGHTS AND INSTITUTIONS.

STATUS OF STATE LAW

The U.S. Supreme Court's political decision to redefine licensed marriages did not settle the conflicts it created between how the State of Tennessee is now administering its license laws and its obligation to protect the interests of those Tennessee ministers and citizens who view the marital relationship as an institution established by God -- not by government.

If you, as a legislator, believe that:

- God created marriage, not the government;
- God created marriage for human flourishing...it's His building block for all of human civilization;
- God's design for marriage recognizes the distinct and unique gifts that a man and woman (created in His image) bring to marriage and family life;
- Government should recognize and respect the rights and duties that naturally arise when a man and woman make a marital commitment; then it is evident that

State law must not deny a man and woman their natural, God-given right to have a marriage defined exclusively in terms of husband and wife protected by law.

State law must not make a minister or pastor choose between solemnizing a marital relationship that will be denied legal recognition or signing the Certificate of Marriage revised by the Executive Branch after the Court's decision on marriage.



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LEGISLATIVE TALKING POINTS

- This Act adds provisions to state law that allow a man and woman to record their marriage as a union of “one man and one woman” with their county clerk's office.
- This Act allows ministers and pastors to solemnize a lawful marriage without having to sign a State Certificate of Marriage that no longer recognizes the validity of marriage defined only as one man and one woman.
- This Act acknowledges what the people of Tennessee overwhelmingly ratified in the state constitution, and have long understood marriage to be.
- The Marital Contract Recording Act does not change the State of Tennessee's existing marriage licensing statutes.
- This Act does not remove anyone's right to a marriage license under Tennessee's existing statutes.
- A man and a woman shouldn't need a permission slip from the state in order to make a marital commitment that Tennessee will deem lawful.
- This Act does not violate the U.S. Supreme Court's decision because it specifically did not address common law, or the common law form of marriage.

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