

State	Current DOMA Law	New Proposal: Constitutional Amendment/ Legislation	Status	Final Outcome	Federal Marriage Amendment Action
Alabama	DOMA adopted as state law in 1998	HB 320: Amendment to Constitution defining marriage as legal union of one man and one woman, prohibits same-sex marriage HB 59, SB 65, 109: prohibit same-sex marriage, denies recognition of same-sex marriage from other states; HB 1, SB 4, 5, 33: prohibit same-sex marriage	HB 1 & HB 320 to House Committee on Constitution & Elections; SB 4, 5, 33, 65 to Senate Committee on Judiciary (February 2005).	HB 59 passed House on 02/08/05; Senate concurred in House Amendments to SB 109 on 03/10/05.	HJR 129, urging Congress to pass proposed amendment to the U.S. Constitution defining marriage as a legal union between one man and one woman was passed on 03-11-04
Alaska*	DOMA written into state constitution on November 3rd, 1998	NA	NA	NA	NA
Arizona	DOMA adopted as state law in 1998	SCR 1015 a proposes a Constitutional Amendment which would define marriage as between one man and one woman and forbid any interpretation which would force marital recognition or extension of marital benefits upon unmarried couples or groups.	Assigned to Family Services Committee and Rules Committee	Died at end of legislative session.	HCM 2004 passed House (41-19) and failed in Senate on 05/26/04 by vote of 14-12 (required 2/3rds majority). H.C.M. 2005 passed House on 02/21/05 and Senate Committee on Family Services on 03/07/05.

*DOMA in form of amendment

Family Research Council
State Tracking Marriage: DOMA, FMA and Constitutional Amendments

Updated 04/04/2005 3:39 PM

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Arkansas	DOMA adopted as state law in 1997	Ballot initiative proposing a constitutional amendment defining the marriage as the union between one man and one woman.	The Secretary of State's office has certified the 95,736 signatures gathered by the Arkansas Marriage Amendment Committee, exceeding the 80,570 signatures necessary to place amendment on November ballot.	Constitutional Amendment ratified by the people on Nov. 2, 2004 In Favor: 75% Against: 25%	Hr 1029 urging the U.S. Congress to support the FMA -- died at end of legislative session; SR 12 passed Senate on 01-17-04.
California	DOMA adopted as state law in 2000 by voter initiative	NA	NA	NA	AJR 67 introduced urging Congress to pass the President's FMA; AJR 85 urges the U.S. Congress NOT to pass the marriage amendment -- Passed Senate on 08-18-04 (21-13), waiting Assembly concurrence.
Colorado	DOMA adopted as state law in 2000	NA	NA	NA	HJR04-1013 introduced urging Congress to pass the FMA; House laid over third reading and the resolution was not taken up -- died at end of legislative session.

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Updated 04/04/2005 3:39 PM

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Connecticut	*Common Law defines marriage, but not the statutory language.	SB 264 allows for same-sex marriage; SB 963 authorizes persons of the same sex to enter into marriage; HJR 29 proposes a constitutional amendment defining marriage between one man and one woman.	SB 264 & HJR 29 assigned to Joint Committee on Judiciary; SB 963 filed with Legislative Commissioner's Office	SB 963 was approved by Judiciary Committee (25-13). HJR 29 failed in Committee on 3/04/05.	NA
Delaware	DOMA adopted as state law in 1996	SB 15 was proposed by State Senator Still as the first leg of a constitutional amendment to prohibit recognition of same sex marriages or other legal relationships whether originally created in Delaware or elsewhere.	Assigned to Senate Committee on Judiciary on 01/25/05	Pending.	NA
Florida	DOMA adopted as state law in 1997	NA	State Board of Missions is working to collect 80,000 signatures to send to the Florida Supreme Court for review and approval by April to have an amendment on the ballot in Nov 2006.	NA	NA

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Updated 04/04/2005 3:39 PM

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Georgia	DOMA adopted as state law in 1996	SR 595 proposed a constitutional amendment banning same-sex marriages; HR 1470 by Rep. Jamieson, offered a constitutional amendment providing marriage to be between one man and one woman -- failed to receive 2nd Reading on 03/09/04 (56/104.)	SR 595 passed in the Senate on 02/16/04 (40-14); SR 595 passed in House on 03/31/04 (122-52-3-3); Sent to Governor by Senate on 04/20/04.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 77% Against: 23%	HR 1063 was introduced urging Congress to pass the FMA defining marriage -- died at the end of legislative session.
Hawaii*	DOMA statutes adopted and Constitutional Amendment adopted in 1998, reserving to the legislature right to limit marriage.	NA	NA	NA	NA
Idaho	DOMA adopted as state law in 1998	HJR 9 proposed a state constitutional amendment banning same-sex marriage and civil unions	Defeated 21-4 in February 2005.	Failed	NA

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Illinois	DOMA adopted as state law in 1996	SCA 23 proposes a Constitutional amendment providing that only marriage between one man and one woman is valid; denies recognition of any relationship between persons of the same sex in civil union, domestic partnership, or other similar same sex relationship. SB 1941 relates to child care by same sex parents.	SCA 23 was assigned to Senate Committee on Rules on 02/24/05. SB 1941 was postponed in Senate Committee on Judiciary on 03/09/05.	Pending.	State Senator Lauzen proposed SJR 19, urging U.S. Congress to "propose an amendment to the U.S. Constitution providing for the protection of traditional marriage." Assigned to Senate Committee on Rules on 02/23/05.
Indiana	DOMA adopted as state law in 1997	HJR 3, 8, 9, & 10 propose a constitutional amendment recognizing marriage as between one man and one woman; SJR 7 constitutionally defines marriage as man and woman and provides that the state constitution shall not be construed to require marital status or legal incidents of marriage to unmarried couples.	SJR 7 Passed Senate on 02/21/04 (42-8); passed House Committee on Judiciary (9-3). HJR 3, 8, 9, & 10 all referred to House Committee on Judiciary in Jan 2005.	Senate advanced amendment on 2/28/05 (42-8). The amendment could be on the Nov 2008 ballot.	NA

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Family Research Council
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Updated 04/04/2005 3:39 PM

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Iowa	DOMA adopted as state law in 1998	HJR 1 & SJR 2 propose constitutional amendments defining marriage as one man and one woman and banning same-sex marriage or any legal union that provides marriage-like benefits.	HJR 1 passed House (54-44); SJR 2 tied in the Senate (25-25).	Amendment must pass two General Assemblies before it can go before the voters.	Resolutions HJR 2002 & SJR 2005 urge Congress to pass the FMA -- Both resolutions were passed by committee but were not taken up by full House.
Kansas	DOMA adopted as state law in 1996	HCR 5033 proposes a constitutional amendment banning same-sex marriage and civil unions; allows marital benefits to be extended only to traditional marriages.	Passed House on 02/02/05 (86-37)	Amendment will go before voters on April 5.	NA
Kentucky	DOMA adopted as state law in 1998	HB 613 and SB 245 propose constitutional amendments defining marriage as one man and one woman and denying recognition of civil unions	SB 245 gained Senate passage on 03-11-04 (33-4-1); defeated in House on 03-26-04; revived and passed in House on 04-12-04 (85-11); received final approval in Senate on 4-14-04.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 75% Against: 25%	State Representative Gray introduced HCR 12, urging U.S. Congress to pass the FMA. HCR 12 was assigned to the House Committee on Appropriations and Revenue on 02/25/05.

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Louisiana	DOMA adopted as state law in 1999	HB 767 constitutionally defines marriage as man and woman and prevents legal recognition of marital incidents granted in other states; SB 159 prohibited recognition of civil unions of domestic partnerships; HB 61 and SB 166 propose constitutional amendments defining marriage as man and woman and prevents judicial interpretation which may grant legal marital benefits to non-married relations.	HB 61 was passed in the House on 05/18/04 (87-11), it was received in the Senate and designated a duplicate of SB 166 and passed in the Senate on 06/09/04 (31-6) with the House concurring with Senate amendments on 06/15/04 (88-13); HB 767 & SB 159 were assigned to respective committees.	Constitutional Amendment ratified by the people on September 18th, 2004. In Favor = 78% Against = 22%	HCR 29 memorializes the U.S. Congress to adopt a constitutional amendment providing that marriage shall consist only of the union of a man and a woman -- HCR 29 never received House action and died at end of legislative session.
Maine	DOMA adopted as state law in 1997	LR 21 & 821 repeal the prohibition of marriage. LR 23 recognizes marriages of same sex couples from Maine who are married in other states. LR 24 recognizes the marriages of same sex couples from other states who come to Maine. LR 991 legalizes same sex marriage.	All bills filed on 01/03/05.	Pending.	NA

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Maryland	State law recognizing only a marriage between a man and a woman, adopted in 1973 *Not considered a DOMA	HB 693 denies recognition of same-sex marriages performed out of state, declares that same sex marriages are against the public policy of the state.	HB 693 to House Committee on Judiciary on 02/07/05.	Pending.	NA
Massachusetts	State Supreme Court has authorized same-sex marriages effective May 17th, 2004 *No DOMA	Constitutional amendment (HB 3190) to define marriage as the union of one man and one woman; HB 653 relates to the definition of marriage; HB 654 clarifies that status of same-sex marriage.	HB 3190 gained passage by Constitutional Convention on 03-29-04, with amendment that grants civil unions -- must be approved by 2005 Mass. State Legislature. HB 653 & 654 assigned to Joint Committee on Judiciary on 01/05/05	Pending.	NA

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Updated 04/04/2005 3:39 PM

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Michigan	DOMA adopted as state law in 1996	HJR U--proposing state constitutional amendment defining marriage as union of a man and a woman; Citizens for the Protection of Marriage are putting a ballot initiative forward.	HJR-U failed to gain passage House by vote on 03/09/04 (65-38); Citizens for the Protection of Marriage submitted 482,590 signatures for a constitutional amendment on July 5th, 2004.	HJR U -- Failed. Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 59% Against: 41%	HR 109 and SCR 31 urge Congress to pass the FMA; in committee
Minnesota	DOMA adopted as state law in 1997	HF No. 2798 proposing a constitutional amendment recognizing as marriage only a union between one man and one woman; similar bill -- SF 2715 -- was rejected by Senate.	HF 2798 passed House on 03-24-04 (88-42) -- it was moved that HF 2798 be released from committee but instead a motion for adjournment was carried; SF 2715 failed in Senate (31-35) on 03-22-2004	Failed	NA

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Mississippi	DOMA adopted by the state in 1997	SCR 514, HCR 56, and HCR 60 proposes to constitutionally prohibits same-gender marriage to be contracted within the state and prevents recognition of out-of-state same-gender marriages.	HCR 60 died in committee on 03/09/04; SCR 514 died in House committee on 04-06-2004. HCR 56 passed House 3-01-04, passed Senate 04-07-04.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 86% Against: 14%	SCR 519 memorializes the U.S. Congress to propose a constitutional amendment to define marriage a between a man and a woman --passed Senate on 02-27-04 and died in House committee 05/09/04.
Missouri	DOMA adopted as state law in 1996	Several bills proposing a constitutional amendment would define marriage as between a man and a woman- SJR 29, HJR 38, 39, 42, 47	SJR29 was approved by Senate on 03-01-04 and later gained passage in House on 05-14-04.	Constitutional Amendment ratified by the people on August 3rd, with 71% voter support.	NA
Montana	DOMA adopted as state law in 1997	Language for a proposed constitutional amendment, states, "Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state" has been drafted by Montana Family Foundation president Rep. Jeff Laszloffy.	The Montana Family Foundation gathered 70,000 signatures, with only 46,095 required, and received Sec. of State approval. Will be on Nov. ballot.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 66% Against: 34%	NA
Nebraska*	DOMA passed as a constitutional amendment, ratified on November 7th, 2000	NA	NA	NA	NA

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Updated 04/04/2005 3:39 PM

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Nevada*	DOMA passed as a constitutional amendment, ratified in 2000 and again in 2002.	NA	NA	NA	NA
New Hampshire	State law defines marriage as the union of one man and one woman. *Not considered a DOMA	SB 427 would consider invalid any marriage contracted outside of New Hampshire jurisdiction if not already recognized within New Hampshire. HB 283 requires examination of all aspects of same sex civil marriage and its legal equivalents.	SB 427 adopted by Senate on 03-11-04; adopted by House (04-29-04); signed into law by Governor. HB 283 assigned to House Committee on Judiciary on 01/26/05.	SB 427 Passed.	NA
New Jersey	State law provides for domestic partnerships with marriage-like benefits *No DOMA	AB 460 & SB 1148 prevent same-sex marriages and denies recognition of same sex marriages from out of state.	Assigned to Assembly Committee on Judiciary on 01/13/04; Senate Committee on Judiciary on 02/24/05.	Pending	A.R. 179 memorializes Congress to propose an amendment to the federal Constitution to provide a def. of marriage and submit the same to the states for ratification. Assigned to Assembly Committee on Federal Relations on 05/27/04.

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Updated 04/04/2005 3:39 PM

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New Mexico	No Public Policy	SJR 18 proposes constitutional amendment. SB 597 defines marriage as a contract between one man and one woman. SB 576 would allow marital benefits to be extended to domestic partners.	SB 597 passed Senate; referred to House Committee on Judiciary on 3/9/05. SB 576 passed Committee on Public Affairs on 2/23/05. SJR 18 passed Senate Committee on Judiciary on 2/17/05.	SB 597 passed Senate on 3/9/05. Other bills pending.	NA
New York	No Public Policy	AB 4097 & SB 2056 would prevent same sex marriages	Both bill were referred to the Committee on Judiciary on 02/08/05.	New York State Court ruled that same-sex couples must be allowed to marry (01/28/05). Another judge ruled against <i>Ithaca 50</i> in early March, saying it was for legislators to extend marriage rights.	NA
North Carolina	DOMA adopted as state law in 1996	Defense of Marriage Act (HB55 & SB8) proposed on 02/03/05. Similar State Marriage Amendment bill considered in the Senate.	HB55 referred to House Committee on Judiciary. SB8 referred to Senate Committee on Ways and Means.	Pending.	NA

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North Dakota	DOMA adopted as state law in 1997	The North Dakota Family Alliance (NDFA) is collecting signatures for an initiative measure that would place DOMA language in the state constitution.	Ballot initiative supporters are collecting signatures and need 25,688 by August 3rd, 2004 to place the issue on the November ballot.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 73% Against: 27%	NA
Ohio	DOMA adopted as state law in 1998; Super DOMA became law in February of 2004, declaring same-sex marriage against strong public policy of the state.	Pro-family organizers are collecting signatures for an initiative measure that would place DOMA language in the state constitution.	Ballot initiative supporters delivered 323,000 signatures to the Sec. of State, gathered from all 88 counties.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 62% Against: 38%	SCR 23 was introduced urging the U.S. Congress to "preserve traditional marriage" -- died at end of legislative session.
Oklahoma	DOMA adopted as state law in 1996	HJR1042,1045,1065, SJR38 & 46 would ban same-sex marriage by constitutional amendment; HB2207, 2255 would strengthen existing laws	Joint Resolutions died in committees. HB 2259 was amended to include the Marriage Protection Amendment language. Passed Senate and House and now goes to a vote of the people in Nov.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 76% Against: 24%	HR 1028 was introduced urging the U.S. Congress to constitutionally protect marriage as the union of one man and one woman -- HR 1028 was enrolled and signed by the Secretary of State on 2/18/04.

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Oregon	No Public Policy	Ballot initiative defining marriage as the union of one man and one woman. Proposed amendment would amend the Constitution: "Only marriage between one man and one woman is valid or legally recognized as marriage." In 2005, State Senator George introduced SB 799 to declare same sex marriages against public policy of the state, deny recognition of same sex marriage from out of state, and prevent benefits of marriage from being extended to nonmarital relationships.	The Defense Of Marriage Coalition and supporters turned in over 244,587 signatures to place a State Constitutional Amendment on the November ballot. SB 799 was referred to the Senate Committee on Rules on 02/23/05.	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 57% Against: 43% Basic Rights Oregon filed lawsuit challenging the constitutionality of the ban on 01/31/05. SB 799 pending	NA
Pennsylvania	DOMA adopted as state law in 1996	Rep. Birmelin added an amendment to HB345 defining marriage in PA as one man and one woman on March 15th, 2004	Author withdrew amendment 3-15-04.	Withdrawn.	NA
Rhode Island	No Public Policy	SB 846 prohibits same-sex marriage.	Referred to Senate Committee on Judiciary on 02/17/05.	Pending.	NA

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South Carolina	DOMA adopted as state law in 1996	H3103 proposes a constitutional amendment. HB 3140/SB 45/SB 90/SB104 & HB 3180 prohibit same sex marriage; deny recognition of same sex marriage from out of state; and prevent the benefits of marriage from being extended to nonmarital relationships. HB 3180 also defines marriage as a union between one man and one woman. HB 3032 denies recognition of same sex marriages from out of state.	All bills referred to Committee on Judiciary on 01/11/05. H3101 passed the House (93-3); now in Senate.	Pending.	HB 4736, memorializing the U.S. Congress to adopt the FMA - tabled in committee (02-25-04).
South Dakota	DOMA adopted as state law in 1996	HJR 1001 proposes an amendment to the State Constitution defining marriage as the union of one man and one woman; prohibits recognition of same-sex civil unions and domestic partnerships.	Passed House on 02/03/05. Passed Senate on 02/28/05 (20-14).	Pending vote in November 2006.	NA

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Updated 04/04/2005 3:39 PM

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Tennessee	DOMA adopted as state law in 1996	2004 HJR 990 called for a State Constitutional DOMA defining marriage as between a man and a woman. 2005 HB 334, HB 751, SB 215, & SB 914 prohibit recognition of same sex civil unions and domestic partnerships.	HJR990 passed out of House on 05/06/04 (85-5), passed Senate on 05/19/04 (28-1). HB 334 & 751 referred to House Committee on Children and Family Affairs on 02/07/05.	Passed a Constitutional Amendment (HJR990) and the resolution awaits concurring adoption in 2005 legislative session. HB 334 & 751 pending. SB 215 & 914 referred to Senate Committee on Judiciary.	SJR 27 urging U.S. Congress to pass the FMA -- passed Senate on 05/21/04 (24-1); died in House committee.
Texas	DOMA adopted as state law in 2003	State Representative Talton introduced HJR 19, proposing a constitutional amendment relation to the recognition of same-sex marriage or civil union.	Referred to House Committee on State Affairs on 02/08/05.	Pending.	NA
Utah	DOMA adopted as state law in 1995	HJR 25 would amend constitution to define marriage as between one man and one woman and bar recognition of "domestic partnerships"; SB 24 declared void same-sex and civil unions	HJR25, the constitutional amendment passed in House and Senate; SB 24 passed both houses and was signed by governor on 03-23-04	Constitutional Amendment ratified by the people on Nov. 2, 2004. In Favor: 66% Against: 34% Senate rejected a domestic partner registry on 2/1/05.	NA

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Vermont	Marriage defined as one man and one woman, 1999. Civil unions are allowed and granted most of the benefits of marriage, passed in 2000.	PR 03 and PR 05 propose constitutional amendments defining marriage as one man and one woman	PR 03 & PR 05 have been sent to committee	Died at end of legislative session.	NA
Virginia	DOMA adopted as state law in 1997	HJR 528 amends the Constitution. HB 751 reaffirmed that the state is under no obligation to recognize same-sex marriages, civil unions, or domestic partnerships. HB 727 prohibits same sex marriage and any benefits extended to such relationships by other states; allows for the impeachment of any judge who deems this law unconstitutional. HB 1633 allows marital benefits to be extended to same sex civil unions and partnerships. HB2921 restricts homosexual adoption.	HB 727 & 1633 have been passed by indefinitely in House Committee on Courts of Justice as of January 2005. HJR 528 has been withdrawn from further consideration. HB 751 passed House on 2-13-04 (79-18); Senate passed same on 3/12/04 (28-10); sent to governor. HB 2921 was referred to the House Health, Welfare and Institutions Committee on 2/03/05.	HB 751 was passed and signed into law in 2004. HJR 528 passed the House (79-17) and the Senate (30-10); must be approved by next legislature before going on the ballot in Nov 2006. HB2921 was turned down by Senate Committee.	HJR 187 & SJR 91, urging the U.S. Congress to pass the FMA, have gained passage in both houses of the Legislature as of 03/10/04.

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Updated 04/04/2005 3:39 PM

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Washington	DOMA adopted as state law in 1998	HJR 4220 would ban same-sex marriage; HB 2176 is a Super DOMA defining all invalid marriages and invalid domestic partnerships	HJR 4220 was referred to the Justice Committee; No action on HB 2176	Died at end of legislative session.	NA
West Virginia	DOMA adopted as state law in 2000	NA	NA	NA	NA
Wisconsin	Recognizes civil contracts to be that which creates a "husband and a wife"; pre-dates DOMA	AJR 66 resolves to adopt a constitutional amendment banning same-sex marriages	PASSED. Bill passed state Assembly (68-27); passed Senate (20-13). Now must be considered again in next leg. session Jan. 05.	Amendment will not be ready for Spring ballot. Legislators hope to have it ready for ballot in Fall 2005.	NA
Wyoming	State statute is not considered a DOMA, yet defines marriage as one man and one woman	HB 184 provides that marriages between persons of the same sex are void	Referred to House Committee on Judiciary on 01/18/05; No report prior to Committee of the Whole Cutoff.	Pending	NA

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