

CHAPTER 154

AN ACT concerning the fundamental right to marry or enter into a civil union with a person of any race and amending and supplementing R.S.37:1-1.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.37:1-1.2 Findings, declarations.

1. The Legislature finds and declares that New Jersey has never enacted a statute prohibiting marriage between persons of different races and, accordingly, has never had to reverse invidious discrimination in marriage or civil union status on the basis of race. The Legislature further finds and declares that the right to marry or enter into a civil union with a person of any race, including the same or a different race, is a fundamental right and that race shall not be declared to be a prohibiting factor.

C.37:1-1.3 Marriage, civil union, fundamental right, race, shall not infringe.

2. The State, any governmental entity, or any other institution shall not infringe on the fundamental right of a person to marry or enter into a civil union with a person of any race.

3. R.S.37:1-1 is amended to read as follows:

Marriages and civil unions, limitations, certain.

37:1-1. Marriages and civil unions.

- a. (Deleted by amendment, P.L.2021, c.343)
- b. (Deleted by amendment, P.L.2021, c.343)
- c. Laws concerning marriage and civil union shall be read with gender- and race-neutral intent.
- d. No person shall marry or enter into a civil union with any of the person's ancestors or descendants, or the person's sibling, or the child of the person's sibling, or the sibling of the person's parent, whether such collateral kindred be of the whole or half blood.
- e. A marriage or civil union in violation of subsection d. of this section shall be absolutely void.

4. This act shall take effect immediately.

Approved September 5, 2023.