

# History of Domestic Partnerships Leading to Legalization of Same Sex Marriages

## California

- **Domestic Partnerships Created: 1999<sup>1</sup>**
- Introduction of The California Domestic Partner Rights and Responsibilities Act of 2003<sup>2</sup>
- **Same-Sex Marriages Legalized: June 16, 2008<sup>3</sup>**

## Connecticut

- **Civil Unions Created:** October 1, 2005<sup>4</sup>
- **Same-Sex Marriages Legalized:** November 12, 2008<sup>5</sup>
- All same-sex civil unions were automatically turned into marriages on October 1, 2010<sup>6</sup>

## Maine

- **Domestic Partnerships Created:** July 30, 2004<sup>7</sup>
- **Same-Sex Marriages Legalized:** May 6, 2009<sup>8</sup>

## Maryland

- **Domestic Partnerships Created:** July 1, 2008<sup>9</sup>
- **Same-Sex Marriages Legalized:** January 1, 2013<sup>10</sup>

## Massachusetts

- The court cited the scheme of **local domestic partnerships** as legal authority to strike down laws defining marriage between a man and a woman.<sup>11</sup>
- **Same-Sex Marriages Legalized:** May 17, 2004<sup>12</sup>

## New Hampshire

- **Civil Unions Legalized:** May 31, 2007<sup>13</sup> (went into effect on January 1, 2008)
- **Same-Sex Marriages Legalized:** June 3, 2009 (went into effect on January 1, 2010)<sup>14</sup>
- All civil unions became marriages on January 1, 2011<sup>15</sup>

## New York

- **Domestic Partnership Law:** February 3, 2006<sup>16</sup>
- **Same-Sex Marriage Legalized:** July 24, 2011<sup>17</sup>

## Vermont

- **Civil Unions Legalized:** July 1, 2000<sup>18</sup>
- **Same-Sex Marriages Legalized:** September 1, 2009<sup>19</sup>

## Washington

- **Domestic Partnerships Legalized:** April 21, 2007<sup>20</sup>
- **Same-Sex Marriage Legalized:** February 13, 2012<sup>21</sup>
- Domestic Partnerships automatically become legal marriage with few exceptions.<sup>16</sup>

## District of Columbia

- **Domestic Partnership Act Created:** 1992<sup>22</sup>
- **Same Sex Marriage Legalized:** December 2009<sup>23</sup>

---

<sup>1</sup> Domestic Partnership Act of 1999: Kevin Murray, now a state senator, introduced Senate Bill 75 in December 1998. The bill passed, and Davis signed it into law on September 22, 1999. It provided for a public registry, hospital visitation rights, and authorized health insurance coverage for domestic partners of public employees. While modest in scope, Assembly Bill 26 marked the first time a state legislature created a domestic partnership statute without the intervention of the courts.

<sup>2</sup> Assembly Bill 205 of 2003 marked a major shift in the legislature's approach to domestic partnerships. This bill created the presumption that domestic partners were to have all of the rights and responsibilities afforded spouses under state law. It also recognized similar relationships, such as civil unions, created in other states.

<sup>3</sup> The period of granting same-sex marriage licenses began on June 16, 2008 due to a ruling by the Supreme Court of California based on an equal protection argument.

<sup>4</sup> Public Act 05-10 1(1), 14-15). Connecticut's civil union laws were effective October 1, 2005 and were repealed effective October 1, 2010.

<sup>5</sup> The Connecticut Supreme Court ruled 4-3 that denying gays the right to marry was against the equality and liberty rules in the Connecticut Constitution.

<sup>6</sup> On April 22, 2009 lawmakers of Connecticut both in the House (vote 100-44) and Senate (vote 28-7) agreed to repeal all old marriage laws and replace them with genderless quotes and all references to marriage made fully gender-neutral. Governor Jodi Rell, a Republican, signed the law on April 23. On October 1, 2010, civil unions ceased to be provided and existing civil unions were automatically converted into marriages.

<sup>7</sup> P.L. 2003, c. 672, enacted by the Legislature and signed into law on April 28, 2004, establishes the concept of domestic partners in Maine law. Under the law, registered domestic partners are accorded a legal status similar to that of a married person with respect to matters of probate, guardianships, conservatorships, inheritance, protection from abuse, and related matters.

<sup>8</sup> SPO384, LD 1020, item 1, 124<sup>th</sup> Maine State Legislature, "An Act To End Discrimination in Civil Marriage and Affirm Religious Freedom" was signed into law by Governor John E. Baldacci on May 6, 2009.

<sup>9</sup> Effective July 1, 2008, Senate Bill 566. Maryland enacted two new laws that give additional rights to domestic partners (both same- and opposite-sex). The first adds domestic partners to the list of individuals who may be added to or removed from a deed without incurring recordation and transfer taxes. The second affords domestic partners several new rights, including the right to make hospital visits and funeral arrangements.

<sup>10</sup> Legalized by popular vote. Referendum Question 6, Civil Marriage Protection Act. Same-Sex Marriage enacted January 1, 2013.

<sup>11</sup> City of Boston Ordinance Ch 12-9A Protection of Families; and City of Cambridge Domestic Ordinance.

<sup>12</sup> Same-sex marriage in Massachusetts began on May 17, 2004 as a result of the Supreme Judicial Court of Massachusetts ruling in *Goodridge v. Department of Public Health* that it was unconstitutional under the Massachusetts constitution to allow only heterosexual couples to marry.

<sup>13</sup> On May 31, 2007, Governor John Lynch signed the civil unions Bill HB437 into law.

<sup>14</sup> HOUSE BILL 436-FN-LOCAL This bill eliminates the exclusion of same-gender couples from marriage, affirms religious freedom protections of clergy with regard to the solemnization of marriage, and provides a mechanism by which same-gender couples who have entered into a civil union prior to the enactment of this bill may obtain the legal status of marriage.

<sup>15</sup> House Bill 73 61:3 Obtaining Legal Status of Marriage. Amend RSA 457:46, I to read as follows:

I. Notwithstanding the provisions of RSA 457-A, no new civil unions shall be established on or after January 1, 2010. Two consenting persons who are parties to a valid civil union entered into prior to January 1, 2010 pursuant to this chapter may apply and receive a marriage license and have such marriage solemnized pursuant to RSA 457.

<sup>16</sup> New York Governor George Pataki signs domestic partnership measure on February 3, 2006. The measure, S.B. 1924, passed quietly through the legislature without attracting media attention.

<sup>17</sup> Bill A08354 enacts The Marriage Equality Act and was signed into law on June 24, 2011. It is a New York State law that allows gender-neutral marriages for both same- and opposite-sex couples.

<sup>18</sup> On December 20, 1999 the Vermont Supreme Court ruled in *Baker v. Vermont* that same-sex couples are "entitled under Chapter I, Article 7, of the Vermont Constitution to the same benefits and protections afforded by Vermont law to married opposite-sex couples".

<sup>19</sup> Amended Bill H275 enacted after Vermont Governor's veto was overridden.

<sup>20</sup> State Registered Domestic Partnerships (SRDP) in Washington were created in 2007 following the *Andersen v. King County* decision, Gov. Gregoire signed Bill on April 21, 2007.

<sup>21</sup> On February 13, 2012, Governor Christine Gregoire signed a same-sex marriage bill [HB 2516].

<sup>22</sup> State Registered Domestic Partnerships (SRDP) in Washington were created in 2007 following the *Andersen v. King County* decision.

<sup>23</sup> Same-sex marriage in the District of Columbia was legalized on December 18, 2009 when mayor Adrian Fenty signed a bill passed by the Council of the District of Columbia.