

# HOUSE BILL REPORT

## HB 2482

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### As Reported by House Committee On: Judiciary

**Title:** An act relating to recognizing legal unions from other states as state registered domestic partnerships.

**Brief Description:** Recognizing legal unions from other states as state registered domestic partnerships.

**Sponsors:** Representatives Pedersen, Chase, White, Appleton, Upthegrove, Carlyle, Simpson, Kagi, Nelson, Kenney, Ericks, Hudgins, Hunter, Hasegawa, Ormsby, Springer and Santos.

#### **Brief History:**

##### **Committee Activity:**

Judiciary: 1/13/10, 1/14/10 [DP].

#### **Brief Summary of Bill**

- Provides that validly formed same-sex marriages from other jurisdictions will be recognized as state-registered domestic partnerships.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 7 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Flannigan, Kelley, Kirby, Ormsby and Roberts.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Ross and Warnick.

**Staff:** Trudes Tango (786-7384).

#### **Background:**

To enter into a state-registered domestic partnership, the two persons involved must:

- share a common residence;
- be at least 18 years old;

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- not be married to someone other than the other person and not be in a state-registered domestic partnership with another person;
- be capable of consenting to the domestic partnership;
- not be nearer of kin to each other than second cousins or be related in other ways; and
- either be members of the same sex or at least one of the persons must be 62 years old or older.

A legal union of two persons of the same sex, except for a same-sex marriage, that is validly formed in another jurisdiction and that is substantially the same as a state-registered domestic partnership is recognized as a domestic partnership in this state. For purposes of state law, state-registered domestic partners must be treated the same as married spouses to the extent there is no conflict with federal law.

Various states have enacted laws establishing civil unions and domestic partnerships for same-sex couples. Currently, five states allow same-sex couples to marry.

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**Summary of Bill:**

A same-sex marriage validly formed in another jurisdiction and that is substantially equivalent to a state-registered domestic partnership shall be recognized as a valid state-registered domestic partnership in Washington.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This is a simple clean-up of the reciprocity provision of the domestic partnership statutes. It is intended to correct an inequity. It makes sense to provide the same rights to same-sex couples married in other states as we do for civil unions created in other states. It is difficult and unfair for people and their children when other states do not recognize same-sex couples as a family. Same-sex couples who are married in other states will lose their rights when they travel to Washington.

(Opposed) None.

**Persons Testifying:** Representative Pedersen, prime sponsor; Janice Langbehn; David Ward, Legal Voice; and Josh Friedes, Equal Rights Washington.

**Persons Signed In To Testify But Not Testifying:** None.