

FINAL BILL REPORT

HB 1649

C 9 L 11

Synopsis as Enacted

Brief Description: Concerning reciprocity and statutory construction with regard to domestic partnerships.

Sponsors: Representatives Jinkins, Pedersen, Kenney, Pettigrew, Ladenburg, Lytton, Stanford, Billig, Ryu, Liias, Seaquist, Darneille, Dickerson, Dunshee, Fitzgibbon, Upthegrove, Reykdal, Finn, Moscoso, Takko, Rolfes, Clibborn, Jacks, Morris, Cody, Roberts, Orwall, Green, Van De Wege, Ormsby, Hudgins, Sells, Kelley, Blake, Appleton, Kagi, Santos, Hurst, Kirby, Eddy, Probst, Springer, Miloscia, Maxwell, Sullivan, Goodman, Frockt, Carlyle, Haigh, Moeller, Hunter, Tharinger, Hunt, McCoy and Hasegawa.

House Committee on Judiciary

Senate Committee on Government Operations, Tribal Relations & Elections

Background:

To enter into a state-registered domestic partnership, the two persons involved must: (1) share a common residence; (2) be at least 18 years old; (3) not be married to someone other than the other person and not be in a state-registered domestic partnership with another person; (4) be capable of consenting to the domestic partnership; (5) not be nearer of kin to each other than second cousins or be related in other ways; and (6) either be of the same sex or, if of different sexes, have one of those persons 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.

In Washington law, a section addressing rules of construction provides that for the purposes of interpreting the code, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family must be interpreted as applying equally to domestic partnerships, to the extent the interpretation does not conflict with federal law.

Summary:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A legal union of two persons, including a marriage, that was validly formed in another jurisdiction and that is substantially equivalent to a Washington state-registered domestic partnership must be recognized as a valid domestic partnership in this state.

The section regarding statutory interpretation is amended to explicitly state that it applies to any legislation hereafter enacted by the Legislature or by the people unless the legislation expressly states otherwise.

Votes on Final Passage:

House	58	39
Senate	28	19

Effective: July 22, 2011