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## **Relationship & Parental Recognition Laws: Marriage Bans, Marriage Recognition, and Civil Unions/Domestic Partnerships**

No updates required since April 9, 2025

### **What's in this document (click to jump to that section):**

<b>Background .....</b>	<b>2</b>
<b>Equality Map &amp; Additional Resources .....</b>	<b>2</b>
<b>Summary Tables .....</b>	<b>2</b>
Table 1: Marriage Recognition & Civil Unions/Domestic Partnerships .....	2
Table 2: Marriage Bans.....	3
<b>State-by-State Sources &amp; More Detail .....</b>	<b>5</b>

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## Background

As a result of the 2015 U.S. Supreme Court ruling in [Obergefell v. Hodges](#), same-sex couples throughout the United States are permitted to marry. Those marriages are recognized by the federal government and all other U.S. states and territories. Some states permitted couples to marry prior to that decision as a result of legislation, state supreme court rulings, or lower federal court rulings that were not appealed. Those are noted below. Additionally, some states continue to make relationship recognition available through other means such as comprehensive civil unions or domestic partnerships.

## Equality Maps & Additional Resources

- See our [Equality Map: Marriage & Relationship Recognition Laws](#) (positive laws) and [Equality Map: Marriage Bans](#), both of which are updated and maintained in real time alongside this document.
- For more on the status of state marriage laws as of 2022, see MAP's 2022 report: [Underneath Obergefell: A National Patchwork of Marriage Laws](#).

## Summary Tables

Table 1: Marriage Recognition & Civil Unions/Domestic Partnerships

Category	Count	List	Bill/Source	Year
<b>States with marriage equality</b>	50 states, D.C., + 5 territories	All	<a href="#">Obergefell v. Hodges</a>	2015
<b>States that also provide comprehensive civil union or domestic partnerships</b>	9 states + D.C.	California	<a href="#">AB205</a> (same-sex) <a href="#">SB30</a> (any couple)	2003 2019
		Colorado	<a href="#">SB13-011</a>	2013
		District of Columbia	<a href="#">Law 9-114</a> <a href="#">A17-0403</a>	1992 2008
		Hawai`i	<a href="#">SB232</a>	2011
		Illinois	<a href="#">Public Act 96-1513</a>	2011
		Maine	<a href="#">LD1804</a>	2022
		Maryland	<a href="#">SB792</a>	2023
		Nevada	<a href="#">SB283</a>	2009
		New Jersey	<a href="#">P.L.2006</a> /Ch 103	2006
		Oregon	<a href="#">P.L.99</a> (same-sex) <a href="#">HB2032</a> (any couple)	2007 2023



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Table 2: Marriage Bans

*Note: All these bans are currently unenforceable due to [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015). Additionally, Iowa's ban is unenforceable due to a separate state court ruling, independent of Obergefell.*

Category	Count	List
<b>States with both statutory and constitutional amendment bans</b>	24 states	Alabama
		Alaska
		Arizona
		Arkansas
		Florida
		Georgia
		Idaho
		Kansas
		Kentucky
		Louisiana
		Michigan
		Mississippi
		Missouri
		Montana
		North Carolina
		North Dakota
		Ohio
		Oklahoma
		South Carolina
		South Dakota
		Tennessee
		Texas
		Utah
		Wisconsin
<b>States with only constitutional amendment bans</b>	3 states	Nebraska
		Oregon
		Virginia
<b>States with only statutory bans (i.e., via legislation)</b>	5 states	Indiana
		Iowa
		Pennsylvania
		West Virginia
		Wyoming
<b>States with no bans on marriage equality</b>	18 states, D.C., + 5 territories	California Colorado Connecticut Delaware District of Columbia Hawaii Illinois



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		<p>Maine Maryland Massachusetts Minnesota Nevada New Hampshire New Jersey New Mexico New York Rhode Island Vermont Washington</p> <p>American Samoa Guam Northern Mariana Islands Puerto Rico U.S. Virgin Islands</p>
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## State-by-State Sources & More Detail

### Alabama

- Recognition
  - [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015)
- Bans
  - Constitutional amendment: [Article I § 36.03](#) or [Amendment 774](#) (2006; initiated by [SB109/Act 2005-35](#), 2005)
  - Statute: [Ala. Code § 30-1-19](#) or HB152/[Act 1998-500](#) (1998)
  - Other: [Executive Order 388](#) (1996)

### Alaska

- Recognition
  - [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015)
  - [Hamby v. Walker](#) (U.S. District Court, District of Alaska, 2014)
- Bans
  - Constitutional amendment: [Article I § 25](#) or [Ballot Measure 2](#) (1998; initiated by [SJR 42](#), 1998)
  - Statute: [HB 227](#) (1996)

### Arizona

- Recognition
  - [Connolly v. Jeanes](#) and [Majors v. Horne](#) (U.S. District Court, District of Arizona, 10/2014).
- Bans
  - Constitutional amendment: [Proposition 102](#) (11/4/2008; did not ban civil unions)
  - Statute: [ARS Title 25-101](#) and [SB1038/Ch.348](#) (5/1/1996; also banning recognition of same-sex marriages performed by other states)
- See also state marriage history highlights [here](#)

### Arkansas

- Recognition
  - [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015)
- Bans
  - Constitutional amendment: Amendment 3 (2004)
  - Statute: [HB1004/Act 144](#) (1997; also banning recognition of same-sex marriages performed by other states)



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## California

- Recognition
  - Marriage: [Hollingsworth v. Perry](#) (U.S. Supreme Court, 2013).
  - Comprehensive Domestic Partnerships: [A.B. 205](#) (2003; effective 2005; creating domestic partnerships for same-sex couples, or for different-sex couples with at least one individual over 62 years of age); [S.B. 30](#) (2019, effective 1/1/2020; removing age requirement for different-sex couples, meaning all adults of any gender and age can access domestic partnerships in the state).
- Bans
  - Currently, none
  - Formerly, state had constitutional amendment Proposition 8 (2008), repealed in 2024.

## Colorado

- Recognition
  - Marriage: [Kitchen v. Herbert](#) (U.S. Court of Appeals, 10<sup>th</sup> Circuit, 2014).
  - Civil Unions: [S.B. 13-011](#) (2013).
- Bans
  - Currently, none
  - Formerly, state had statutory ban (2000), repealed by [SB14](#) (2025)
  - Formerly, state had Constitutional Amendment (2006), which was repealed by Amendment J in 2024.

## Connecticut

- Recognition
  - [Kerrigan v. State of Connecticut Department of Public Health](#) (Connecticut Supreme Court, 2008).

## Delaware

- Recognition
  - [H.B. 75](#) (2013)
- Bans
  - Currently, none
  - Formerly, state had statutory ban (1996)



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## District of Columbia

- Marriage: [18-482](#) (2009; effective 2010).
- Comprehensive Domestic Partnerships: [D.C. Law 9-114](#) (1992), [A17-0403](#) (2008).

## Florida

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Georgia

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).
- Bans
  - Constitutional [Amendment 1](#) (2004), prompted by [HR 1470/SR595](#) (2004)

## Hawai`i

- Recognition
  - Marriage: [SB1/HD1](#) (2013)
  - Civil Unions: [S.B. 232](#) (2011, effective 2012)
  - Other: *Baehr v. Lewin*, 852 P.2d 44 (1993), found that refusing to grant marriage licenses to same-sex couples violated the state's constitution
- Bans/Restrictions
  - Currently, none
  - Formerly, state had [Constitutional Amendment 2](#) (1998), which did not ban marriage equality, but explicitly granted the state legislature the ability to do so. This was repealed in 2024.

## Idaho

- [Latta v. Otter](#) (U.S. District Court, District of Idaho, 2014).

## Illinois

- Marriage: [S.B. 0010](#) (2013; effective 2014).
- Civil Union: [Public Act 96-1513](#) (2011).

## Indiana

- [Baskin v. Bogan](#) (U.S. Court of Appeals, 7<sup>th</sup> Circuit, 2014).

## Iowa

- [Varnum v. Brien](#) (Supreme Court of Iowa, 2009).

## Kansas

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Kentucky

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).



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## Louisiana

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Maine

- Marriage: [Public Question: An Act to Allow Marriage Licenses for Same-Sex Couples and Protect Religious Freedom](#) (2012).
- Comprehensive domestic partnerships: [LD1804](#) (2022)

## Maryland

- [Referendum by Petition: Civil Marriage Protection Act](#) (2012; effective 2013).
- Comprehensive domestic partnerships: [SB792](#) (2023)

## Massachusetts

- [Goodridge v. Massachusetts Department of Public Health](#) (2003; effective 2004).

## Michigan

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Minnesota

- [HF 1054](#) (2013).
- Formerly, statutory ban (1996 or 1997, search same sex [here](#))

## Mississippi

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Missouri

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).
- SB 768 (July 3, 1996) – banning marriage
  - Or is it [SB895](#)? Multiple sources I saw said 768 though.
- [HB 157](#) (July 13, 2001) – also banning recognition of marriages from out of state
  - [Bill link](#) but has no bill text
- <https://s3-us-west-2.amazonaws.com/ftm-assets/ftm/archive/files/pdfs/M.S.vD.S..pdf>

## Montana

- [Rolando v. Fox](#) (U.S. District Court, District of Montana, 2014).

## Nebraska

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

## Nevada

- Marriage: [Sevcik v. Sandoval](#) (U.S. Court of Appeals, 9<sup>th</sup> Circuit, 2014).
- Comprehensive Domestic Partnerships: [Nevada Domestic Partnerships](#) (2009).





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### New Hampshire

- [H.B. 436](#) (2009; effective 2010).

### New Jersey

- Marriage: *Garden State Equality v. Dow* (New Jersey Superior Court, 2013).
- Civil Unions: [P.L. 2006, Chapter 103, The Civil Union Act](#) (2006; effective 2007).

### New Mexico

- [Griego v. Oliver](#) (Supreme Court of New Mexico 2013).

### New York

- [A.B. A8354](#) (2011).

### North Carolina

- [General Synod of the United Church of Christ v. Resinger](#) (United States District Court, Western District of North Carolina, 2014).

### North Dakota

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

### Ohio

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

### Oklahoma

- [Bishop v. United States](#) (U.S. Court of Appeals, 10<sup>th</sup> Circuit, 2014).

### Oregon

- Marriage: [Geiger v. Kitzhaber](#) (U.S. District Court, District of Oregon, 2014).
- Comprehensive Domestic Partnerships: [Oregon Family Fairness Act, Public Law Number 99](#) (2007). See also [HB2032](#) (2023) expanding domestic partnerships to all couples (i.e., including different-sex couples).

### Pennsylvania

- [Whitewood v. Wolf](#) (U.S. District Court, Middle District of Pennsylvania, 2014).

### Rhode Island

- [Public Law 2013-005](#) (2013).

### South Carolina

- [Condon v. Haley](#) (U.S. District Court, District of South Carolina, 2014).

### South Dakota

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).



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#### Tennessee

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

#### Texas

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015).

#### Utah

- Marriage: [Kitchen v. Herbert](#) (U.S. Court of Appeals, 10<sup>th</sup> Circuit, 2014).

#### Vermont

- Recognition
  - Marriage: [S.115](#) (2009)

#### Virginia

- Recognition
  - [Bostic v. Schaefer](#) (U.S. Court of Appeals, 4<sup>th</sup> Circuit, 2014).

#### Washington

- [Referendum Measure No. 74](#) (2012).

#### West Virginia

- [Bostic v. Schaefer](#) (U.S. Court of Appeals, 4<sup>th</sup> Circuit, 2014).

#### Wisconsin

- [Wolf v. Walker](#) (U.S. Court of Appeals, 7<sup>th</sup> Circuit, 2014).

#### Wyoming

- [Guzzo v. Mead](#) (U.S. District Court, District of Wyoming, 2014).



## U.S. Territories

### American Samoa

- American Samoan marriage statutes do not state that only different-sex couples can marry, but when stating the required age for marriage, [statutes refer to “the male” and “the female.”](#) Following the 2015 U.S. Supreme Court ruling, the attorney general in American Samoa stated that the ruling did not apply. Others have argued that because the U.S. Supreme Court ruled that marriage was a “fundamental” right, the ruling applies to unincorporated territories. In 2016, when a new district court judge was approved by the American Samoan Senate, he stated that he would not permit same-sex couples to marry until the American Samoan marriage statute had been explicitly changed.

### Guam

- [Sevcik v. Sandoval](#) (U.S. Court of Appeals, 9th Circuit, 2014), though it wasn't until a couple was denied a license in April 2015 that the District of Guam court ruled that the couple should not have been denied a license given the ruling in the Ninth Circuit. This made Guam the first U.S. territory to permit same-sex couples to marry. In August 2015, the Guam legislature passed marriage equality legislation updating their marriage laws to permit marriage for same-sex couples.

### Northern Mariana Islands

- [Sevcik v. Sandoval](#) (U.S. Court of Appeals, 9th Circuit, 2014), though it wasn't until the U.S. Supreme Court ruling in June 2015 that the governor and the attorney general of the Islands announced that the territory would begin marrying same-sex couples.

### Puerto Rico

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015). In June 2014, five same-sex couples sued in federal court challenging Puerto Rico's marriage ban as unconstitutional. The district court upheld the ban in October 2014 and the couples' appeal was held in abeyance as the Supreme Court decided the issue. After the U.S. Supreme Court's ruling in Obergefell in June 2015, the Court of Appeals for the First Circuit sent the case back to the district court, while agreeing that the ban was unconstitutional. As a result of this judgment, same-sex couples were to marry starting in July 2015. Notwithstanding the Supreme Court's decision in Obergefell and the First Circuit's judgment, the federal district court judge overseeing the Puerto Rico case ruled that the U.S. Supreme Court's ruling did not apply to Puerto Rico because such right, according to the court, had not been incorporated to the territories. A few weeks later the First Circuit overturned the district holding that the rights to due process and equal protection had been incorporated as to Puerto Rico and that consequently Obergefell applied to the U.S. territory. Thereafter, another judge in Puerto Rico entered a final judgment striking down the territory's marriage ban.

### U.S. Virgin Islands

- [Obergefell v. Hodges](#) (U.S. Supreme Court, 2015), however, because of the absence of the lieutenant governor and opposition from senate president, the order implementing the Court's ruling did not go into effect until late July 2015.