Relationship & Parental Recognition Laws:
Marriage and Domestic Partnerships

No updates required since June 6, 2023

What’s in this document (click to jump to that section):

Background .............................................................................................................................................. 2
Equality Map & Additional Resources ................................................................................................... 2
Summary Table ........................................................................................................................................... 2
State-by-State Sources & More Detail ...................................................................................................... 3


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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 Map & Additional Resources
- See our Equality Map:
- For more on the current status of state marriage laws, see MAP’s 2022 report: *Underneath Obergefell: A National Patchwork of Marriage Laws.*

Summary Table

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

Alabama
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

Alaska

Arizona

Arkansas
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

California
- 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).

Colorado

Connecticut

Delaware

District of Columbia

Florida
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

Georgia
- Obergefell v. Hodges (U.S. Supreme Court, 2015).
Hawai`i

Idaho
- **Latta v. Otter** (U.S. District Court, District of Idaho, 2014).

Illinois

Indiana
- **Baskin v. Bogan** (U.S. Court of Appeals, 7th 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).

Louisiana
- **Obergefell v. Hodges** (U.S. Supreme Court, 2015).

Maine
- Comprehensive domestic partnerships: **LD1804** (2022)

Maryland
- Comprehensive domestic partnerships: **SB792** (2023)

Massachusetts

Michigan
- **Obergefell v. Hodges** (U.S. Supreme Court, 2015).

Minnesota
- **HF 1054** (2013).
Mississippi
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

Missouri
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

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

Nebraska
- Obergefell v. Hodges (U.S. Supreme Court, 2015).

Nevada

New Hampshire

New Jersey

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

New York

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, 10th Circuit, 2014).
Oregon
- 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

Rhode Island

South Carolina

South Dakota

Tennessee

Texas

Utah

Vermont

Virginia

Washington
- *Referendum Measure No. 74* (2012).

West Virginia

Wisconsin

Wyoming
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.