STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE JUDICIARY COMMITTEE
March 17, 2008

Meg Hooper, Branch Chief, Planning Branch/Office of Vital Records 509-7128

House Bill 5925 - An Act Concerning Civil Unions

The Department of Public Health provides the following information with regard to House Bill 5925.

This bill seeks to reinforce the benefits, protections, and responsibilities that were granted to civil union partners in 2005, when this state began recognizing civil unions. Section 3 of the bill addresses Connecticut's recognition of same-sex legal unions entered into in another state.

Back in 2005, this office requested an opinion from the Office of the Attorney General, inquiring into whether persons who are joined in a civil union, same-sex marriage, or domestic partnership in another state, are eligible to enter into a civil union or marriage in Connecticut. The answer to this question impacts the State Vital Records Office, as well as the 169 local registrars, with regard to the issuance of marriage and civil union licenses. The Attorney General's response to our inquiry was that civil unions and domestic partnerships entered into in other states, which are substantially equivalent to a Connecticut civil union, are recognized by Connecticut. Thus, anyone who is already a party to an out-of-state civil union or domestic partnership would <u>not</u> be entitled to enter into a civil union or marriage in Connecticut. However, with regard to same-sex marriages, the Attorney General concluded that such union is contrary to the public policy of Connecticut -- that marriage is the legal union of a man and a woman -- and therefore not recognized. Thus, persons who are a part of a same-sex marriage <u>would be</u> eligible to enter into a Connecticut civil union or marriage.

There appears to be a conflict between the Attorney General's opinion and section 3 of the bill, which would require Connecticut to recognize all same-sex legal unions performed in other states. Therefore, if this language is passed in its current form, the department will need clarification about whether an out-of-state same sex marriage will now be recognized in Connecticut.

Thank you for your consideration of the Department's views on this bill.

Phone:

Telephone Device for the Deaf: (860) 509-7191
410 Capitol Avenue - MS # _____
P.O. Box 340308 Hartford, CT 06134
Affirmative Action / An Equal Opportunity Employer