



State of Connecticut  
**COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES**

Central Office ~ 21 Grand Street, Hartford, CT 06106

*Promoting Equality and Justice for all People*

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**To:** Judiciary Committee  
**From:** Robert J. Brothers, Jr., Acting Executive Director  
**Date:** March 6, 2009  
**Re:** SB 899, AN ACT IMPLEMENTING THE GUARANTEE OF EQUAL PROTECTION UNDER THE CONSTITUTION OF THE STATE FOR SAME SEX COUPLES

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The Commission on Human Rights and Opportunities **SUPPORTS** SB 899, AN ACT IMPLEMENTING THE GUARANTEE OF EQUAL PROTECTION UNDER THE CONSTITUTION OF THE STATE FOR SAME SEX COUPLES.

SB 899 codifies the Court's decision in *Kerrigan v. Commissioner of Public Health*, 289 Conn. 135 (2008). It resolves existing inconsistencies in the statutes. It is essential, to ensure that the statutes as written are brought into compliance with the decision of the court.

Prior to the Supreme Court's decision in *Kerrigan v. Commissioner of Public Health*, 289 Conn. 135 (2008), a same sex couple in a committed relationship was permitted to obtain a license to enter into a legally recognized relationship - *civil union*, which is similar to but not marriage. In fact, existing statutes prohibited a same-sex couple from entering into the relationship of marriage. In *Kerrigan*, the Court determined that the marriage-like *civil union* was not the same as *marriage* and that "laws restricting civil marriage to heterosexual couples violated same-sex couples' state constitutional equal protection rights." The Court essentially ordered the state to issue marriage licenses to same-sex couples.

The Commission supports SB 899 because it will revise the statutes to require: that marriage licenses be issued to eligible couples regardless of the gender of the partners; clarification of identifying terms referring to the spouses in the statutes; clarification of which relationships will be considered as *marriage*; clarification of what will happen to couples who have entered into civil unions; clarification of rights and privileges of marriage; and in CHRO's statutes, it will modify CONN. GEN. STAT. 46a-81a and repeal the disapproving and negative inferences regarding committed same-sex couples and their families and homosexual lifestyle set forth as CONN. GEN. STAT. 46a-81r.

The Commission on Human Rights and Responsibilities respectfully requests that the Judiciary Committee **APPROVE** SB 899.