

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1740
Version: As introduced

DATE: February 19, 2010

Authors: Winkler and others

Subject: Recognition of out-of-state marriages

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Overview

This bill provides that a marriage between persons of the same sex validly-performed in another U.S. state or territory is recognized as valid under Minnesota law.

Based on current state laws, this bill would recognize marriages performed in Massachusetts, Connecticut, Iowa, Vermont, and New Hampshire, as well as those performed in California between June 16, 2008 and November 5, 2008. Barring Congressional action, marriage between persons of the same sex will be permitted in the District of Columbia beginning in early March 2010, and would also be eligible for recognition under this bill.

Section

1 General; prohibition. Strikes language that currently prohibits, for purposes of Minnesota law, recognition of a marriage entered into by persons of the same sex that are otherwise recognized by another state or foreign jurisdiction.

2 Application. Provides that a marriage between persons of the same sex are valid in Minnesota if the marriage was entered into in another U.S. state or territory.

This section also provides conforming changes, including elimination of a cross-reference to language that is eliminated in section 1 of the bill, and language providing that a marriage entered into in another jurisdiction is treated as a marriage between a husband and wife for determining the applicability of Minnesota law.

3 Effective date. Establishes an effective date, and provides that the rights, benefits, and obligations of a newly-recognized marriage under this bill only accrue beginning on the effective date and thereafter.