

EMPLOYEE TRUST FUNDS

Discontinuation of Future Chapter 770 Domestic Partner Registrations

Motion:

Move to incorporate the provisions of bill draft 2017 LRB-3417/P2, which would:

1. prohibit the formation of new domestic partnerships under Chapter 770 of the statutes;
2. remove the authorization for a state employer or local governmental unit to pay premiums for health, accident, and life insurance policies for an employee's domestic partner and dependent children of an employee's domestic partner;
3. authorize a state or local government employer to pay not only premiums but also cost sharing amounts for hospital, surgical, and other health and accident insurance and life insurance for employees and officers and their spouses and dependent children;
4. authorize a local governmental unit to provide for the payment of not only premiums but also cost sharing for hospital and surgical care for its retired employees;
5. specify that a local governmental unit providing an employee benefit plan as defined in 29 U.S.C. 1002 (3) may only cover its officers, agents, employees, and the spouses and dependent children of its officers, agents, and employees;
6. specify that with regard to provisions relating to a local governmental unit's officers, employees, and agents who are covered by a collective bargaining agreement under Subchapter V of Chapter 111 of the statutes, or another contract, that contains provisions inconsistent with the bill provisions, the bill provisions would first apply on the day on which the agreement or contract expires or is terminated, extended, modified, or renewed (whichever occurs first); and
7. repeal the statutory declaration of policy that the Legislature finds "that it is in the interests of the citizens of this state to establish and provide the parameters for a legal status of domestic partnership," and that the legal status of a Chapter 770 domestic partnership is not substantially similar to that of marriage.

Specify that the effective date of the provisions would be six months from the date of publication of the bill.

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**Posted By:**  
Wheeler Reports, Inc.

Note:

Under current law, Chapter 770 of the statutes two individuals may enter into a domestic partnership if each is at least 18 years old and able to consent to the domestic partnership; neither is married to, or in a domestic partnership with, another individual; they share a common residence; they are not more closely related to one another than second cousins (biologically or by adoption); and they are members of the same sex. Statute affords various rights and obligations to domestic partners who register under Chapter 770, including but not limited to: (a) accompaniment or visitation to a care or service residential facility; (b) consenting to proposed admission of an incapacitated domestic partner to a care or service residential facility; (c) hospital visitation; (d) access to treatment records created in the course of providing services for mental illness or developmental disabilities; (e) exemption from real estate transfer fees for transfers between partners; (f) death benefits for certain employees under particular circumstances; (g) power of attorney; (h) ownership of a cemetery lot or mausoleum space; and (i) victim notification by the Department of Corrections.

The motion would discontinue the option to register a partnership under Chapter 770 beginning six months from the effective date of the budget bill. Various current law provisions that apply to Chapter 770 domestic partnerships would continue to apply to domestic partnerships that have already been registered, with the exception of the current law provisions specified in the motion and bill draft LRB-3417/P2, which are modified under the motion.