

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 999
Version: As introduced

DATE: February 19, 2010

Authors: Mullery and others

Subject: Civil Union Contracts

Analyst: Matt Gehring, 651-296-5052

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill replaces the concept of “marriage” within Minnesota law with a “civil union contract” and eliminates the requirement that the unions be formally solemnized. The changes would permit any two parties, regardless of sex, to enter into a civil union contract.

Section

- 1** **Human Rights Act.** Eliminates language that currently prohibits the provisions of the Minnesota Human Rights Act from begin read as authorizing marriage between persons of the same sex.
- 2** **Civil union contract.** Replaces the concept of “marriage” with “civil union contract” in Minnesota law. This section also eliminates gender references, permitting a civil union contract to be entered by any two parties capable of contracting, and eliminates the existing solemnization requirement that applies to marriage.
- 3** **Persons capable of contracting.** Replaces marriage-related terminology with “civil union.”
- 4** **Prohibited marriages and civil union contracts.** Provides that the current list of prohibited forms of marriage also prohibit that form of civil union contract.

This section eliminates the prohibitions on marriage between persons of the same sex, and recognition of the marriage between persons of the same sex validly-entered in another state or foreign jurisdiction.
- 5-9** **Terminology; conforming changes.** Replaces the term “marriage” with “civil union contract” and enacts other similar conforming changes in various sections of statute that currently specify the procedure required for marriage.
- 10** **Marriage by religious institution not prohibited.** Provides that Minnesota law does not

prohibit a religious institution or cultural group from performing a ceremony of marriage according to that institution or group's rules and traditions. The parties to a religious or cultural ceremony would not be entitled to the rights, benefits, or privileges of Minnesota law unless the parties also sign a formal civil union contract as required by law.

- 11** **Meaning.** Provides that certain marriage-related terms used throughout the Minnesota statutes are to be construed to include parties to a civil union contract.
- 12** **Repealer.** Repeals a number of provisions of statute related to solemnization of a marriage and the duties of a person responsible for the solemnization.
- 13** **Effective date.** Provides an effective date for the bill.