

A BILL 1

17-135 2

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA 3

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To amend the the General Legislative Procedures Act of 1975 to clarify that step-relationships 5
include relationships created by a domestic partnership registration; to amend the District 6
of Columbia Government Comprehensive Merit Personnel Act of 1978 to include a 7
domestic partner in the definition of relative in the career and education services, and to 8
allow domestic partners to be included in employee’s health insurance, disability 9
compensation and retirement; to amend the District of Columbia Retirement Reform Act 10
to include domestic partners as parties in interest; to amend the Police Officers, Fire 11
Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998 to include 12
domestic partners as parties in interest; to amend the District of Columbia Campaign 13
Finance Reform and Conflict of Interest Act to include domestic partner in the definition 14
of immediate family; to amend the Human Rights Act of 1977 to include domestic 15
partner in the definition of family member; to amend the Act for the promotion of 16
anatomical science and to prevent the desecration of graves in the District of Columbia to 17
grant domestic partners standing as related to the deceased to provide for funerals that 18
would otherwise be held at public expense; to amend the Boxing and Wrestling 19
Commission Act of 1975 to preclude a Commissioner from acting where it might affect 20
the financial interest of his or her domestic partner; to amend the District of Columbia 21
Health Occupations Revision Act of 1985 to include domestic partner within the 22
definition of household member; to amend the Law to Legalize Lotteries, Daily Numbers 23
Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia to 24
exclude domestic partners of certain persons from eligibility for prizes or providing 25
supplies; to amend the Prevention of Child Abuse and Neglect Act of 1977 to exclude 26
domestic partner privilege from testimony concerning the welfare of or the removal of 27
parental rights of a neglected child; to amend An Act To provide for the mandatory 28
reporting by physicians and institutions in the District of Columbia of certain physical 29
abuse of children to provide that the domestic partner privilege shall not be grounds for 30
excluding evidence in neglect proceedings; to amend An Act to authorize the 31
establishment of a band in the Metropolitan Police Force to include domestic partners as 32
survivors for purposes of police band director retirement; to amend the District of 33

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Columbia Housing Authority Act of 1999 to prohibit the domestic partner of certain persons from being Commissioners; to amend the Uniform Declaration of Death Act of 1981 to prohibit domestic partners from witnessing a death certificate; to amend the Mental Health Consumers' Rights Protection Act of 2001 to preserve the right of consumers to enter into and dissolve domestic partnerships; to amend the AIDS Health-Care Response Act of 1986 to expand services under this Act to include an AIDS patient's domestic partner; to amend section 15-503 of the District of Columbia Official Code to include domestic partners when computing family aggregate earnings to determine an exemption; to amend Title 16 of the District of Columbia Official Code to include domestic partners in the list of persons who can petition for habeas corpus and whose testimonial privilege does not apply in family division cases; to amend section 19-1106 of the District of Columbia Official Code to provide a presumption of survivorship for domestic partners with regard to custodial trusts; to amend Title 21 of the District of Columbia Official Code to give domestic partners the same standing as spouses in the treatment of mentally ill partners; to amend An Act To establish a code of laws for the District of Columbia to prohibit false personations for domestic partnership registrations; to amend section 23-547 of the District of Columbia Official Code to provide immunity from testimony for domestic partners; to amend An Act Relating to the payment or delivery by banks or other persons or institutions in the District of Columbia of deposits of money and property held in the names of two or more persons to include domestic partners as survivors for joint accounts; to amend Title 28 of the District of Columbia Official Code to include the interest of domestic partners in trust administration decisions; to amend the Health Insurance Portability and Accountability Federal Law Conformity and No-Fault Motor Vehicle Insurance Act of 1998 to include domestic partners as dependants; to amend the Life Insurance Act to include domestic partners as dependants; to amend the Employment Services Licensing and Regulation Act of 1984 to include domestic partnership within the meaning of the marital status; to amend the Health Care Benefits Expansion Act of 1992 to permit legal relationships substantially similar to domestic partnerships to qualify for benefits and to clarify that a domestic partnership is terminated upon the marriage of the partners; to amend the District of Columbia Workers' Compensation Act of 1979 to include domestic partners as survivors; to amend An Act For the retirement of public-school teachers in the District of Columbia to include domestic partners as survivors; to amend the District of Columbia Deed Recordation Tax Act to replace gender specific terms with gender neutral terms; to amend the Residential Real Property Seller Disclosure, Funeral Services Date Change, and Public Service Commission Independent Procurement Authority Act of 1998 to include transfers of real estate between domestic partners as excluded from the provisions of that chapter; to amend An Act To establish a code of law for the District of Columbia to permit domestic partners to hold property as tenants by the entirety and to revise the deed

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forms to include domestic partners; to amend the Condominium Act of 1976 to permit 1
domestic partners to hold condominium units as tenants by the entirety; to amend the 2
Rental Housing Conversion and Sale Act of 1980 to replace gender specific terms with 3
gender neutral terms; to amend the Rental Housing Act of 1985 to include domestic 4
partners when making the determination of the smallest unit-size appropriate for an 5
eligible family; to amend the Nursing Home and Community Residence Facility 6
Residents' Protections Act of 1985 to include domestic partners among those unqualified 7
to be appointed as a receiver; and to amend Title 47 of the District of Columbia Official 8
Code to require domestic partners be treated the same as spouses in the administration of 9
District of Columbia tax law. 10

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this 11
act may be cited as the “Omnibus Domestic Partnership Equality Amendment Act of 2008”. 12

Sec. 2. Section 2 of the General Legislative Procedures Act of 1975, effective September 13
25, 1975 (D.C. Law 1-17; D.C. Official Code § 1-301.45), is amended by adding a new 14
paragraph (11) to read as follows: 15

“(11) words such as “stepparent,” “stepmother,” “stepfather,” “stepchild,” 16
“stepsister,” and “stepbrother” are used to indicate a category of a family step-relationship 17
created when an individual who is a parent of a child: 18

“(A) marries an individual who is not a parent of that child; or 19

“(B) becomes a domestic partner of an individual who is not a parent of 20
that child by registering the domestic partnership pursuant to section 3 of the Health Care 21
Benefits Expansion Act of 1993, effective June 11, 1991 (D.C. Law 9-144; D.C. Official Code § 22
32-702).” 23

Sec. 3. The District of Columbia Government Comprehensive Merit Personnel Act of 1
1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is 2
amended as follows: 3

(a) Section 301 (D.C. Official Code § 1-603.01) is amended as follows: 4

(1) By re-designating existing paragraph (e-1) as (e-3). 5

(2) By adding new paragraphs (e-1) and (e-2) to read as follows: 6

“(e-1) The term “domestic partner” shall have the same meaning as provided in section 7
2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9- 8
114; D.C. Official Code § 32-701(3)). 9

“(e-2) The term “domestic partnership” shall have the same meaning as provided in 10
section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. 11
Law 9-114; D.C. Official Code § 32-701(4)).” 12

(b) Section 703 (D.C. Official Code § 1-607.03) is amended as follows: 13

(1) Subsection (h) is amended by striking the phrase “unmarried widow or 14
widower” and inserting the phrase “surviving spouse or surviving domestic partner that has not 15
subsequently married or entered into a domestic partnership” in its place. 16

(2) Subsection (i) is amended by deleting the phrase “wife or husband” and 17
inserting the phrase “spouse or domestic partner” in its place. 18

(c) Section 801(c)(1) (D.C. Official Code § 1-608.01(c)(1)) is amended by striking the 19
phrase “husband, wife” and inserting the phrase “spouse, domestic partner” in its place. 20

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(d) Section 801a(c)(1) (D.C. Official Code § 1-608a.01(c)(1)) is amended by striking the phrase “husband, wife” and inserting the phrase “spouse, domestic partner” in its place.

(e) Section 2107(b) (D.C. Official Code § 1-621.07(b)) is amended by inserting after the word “spouse” the phrase “or domestic partner” wherever it appears.

(f) Section 2301 (D.C. Official Code § 1-623.01) is amended as follows:

(1) By repealing paragraphs (6) and (11).

(2) By inserting a new paragraph (21) to read as follows:

“(21) The term “surviving spouse or domestic partner” means the spouse or domestic partner living with or dependent for support on the decedent at the time of his or her death, or living apart for reasonable cause or because of his or her desertion.”.

(g) Section 2309 (D.C. Official Code § 1-623.09) is amended by striking the phrase “widow or widower” and inserting the phrase “surviving spouse or domestic partner” wherever it appears.

(h) Section 2310(a)(1) (D.C. Official Code § 1-623.10(a)(1)) is amended as follows:

(1) By inserting after the word “spouse” the phrase “or domestic partner”.

(2) By inserting after the word “marries” the phrase “or enters into a domestic partnership”.

(i) Section 2333 (D.C. Official Code § 1-623.33) is amended as follows:

(1) By striking the phrase “widow or widower” and inserting in its place the phrase “surviving spouse or domestic partner” wherever it appears.

(2) By striking the phrase “widow, widower” and inserting in its place the phrase “surviving spouse or domestic partner” wherever it appears.

(3) Subsection (b)(1) (D.C. Official Code § 1-623.33(b)(1)) is amended as follows:

(A) By inserting after the word “marries” the phrase “or enters into a domestic partnership” wherever it appears.

(B) Sub-paragraph (1)(A) is amended by striking the phrase “dies or remarries” and inserting the phrase “dies, remarries, or enters a domestic partnership” in its place.

(j) Section 2335 (D.C. Official Code § 1-623.35) is amended as follows:

(1) By striking the phrase “widow or widower” and inserting in its place the phrase “surviving spouse or domestic partner” wherever it appears.

(2) Subsection (c) is amended by inserting after the word “remarriage” the phrase “or entry into a domestic partnership” wherever it appears.

(k) Section 2604(6)(E) (D.C. Official Code § 1-626.04(6)(E)) is amended by inserting after the word “spouse” the phrase “or domestic partner” wherever it appears.

Sec. 4. Section 102 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 866; D.C. Official Code §1-702), is amended as follows:

(a) Paragraph (9)(E) (D.C. Official Code §1-702(9)(E)) is amended by inserting after the word “spouse” the phrase “or domestic partner” wherever it appears.

(b) By adding a new paragraph (25) to read as follows:

“(25) The term “domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).”.

Sec. 5. Section 102 of the Police Officers, Fire Fighters, and Teachers Retirement Benefit Replacement Plan Act of 1998, effective September 18, 1998 (D.C. Law 12-152; D.C. Official Code §1-901.02), is amended as follows:

(a) By inserting a new paragraph (2A) to read as follows:

“(2A) “Domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).”.

(b) Paragraph (11)(E) (D.C. Official Code §1-901.02(11)(E)) is amended by inserting after the word “spouse” the phrase “or domestic partner” wherever it appears.

Sec. 6. The District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 447; D.C. Official Code § 1-1101.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 1-1101.01) is amended by inserting a new paragraph (12) to read as follows:

“(12) The term “domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C.

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Law 9-114; D.C. Official Code § 32-701(3)).” 1

(b) Section 601(i)(5) (D.C. Official Code § 1-1106.01(i)(5)) is amended by inserting after 2
the word “spouse” the phrase “or domestic partner” wherever it appears. 3

(c) Section 602(h)(5) (D.C. Official Code § 1-1106.02(h)(5)) is amended by inserting 4
after the word “spouse” the phrase “or domestic partner”. 5

Sec. 7. Section 102 of the Human Rights Act of 1977, effective December 13, 1977 6
(D.C. Law 2-38; D.C. Official Code § 2-1401.02), is amended as follows: 7

(a) By inserting new paragraphs (g-1) and (g-2) to read as follows: 8

“(g-1) “Domestic partner” shall have the same meaning as provided in section 2(3) of the 9
Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 10
Official Code § 32-701(3)). 11

“(g-2) “Domestic partnership” shall have the same meaning as provided in section 2(4) of 12
the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 13
Official Code § 32-701(4)).” 14

(b) Paragraph (k-2) (D.C. Official Code § 2-1401.02(11B)) is amended to read as follows: 15

“(k-2) “Family member” means, with respect to an individual and genetic information, the 16
spouse or domestic partner of the individual, dependent child (whether born to or placed for 17
adoption with the individual), and all other individuals related by blood to the individual, spouse, 18
domestic partner, or child.” 19

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Sec. 8. Section 2 of the Act for the promotion of anatomical science and to prevent the
deseccration of graves in the District of Columbia, approved April 29, 1902 (32 Stat. 173; D.C.
Official Code § 3-202), is amended by adding the phrase “or domestic partnership as provided in
section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C.
Law 9-114; D.C. Official Code § 32-701(4),” after the word “marriage”.

Sec. 9. The Boxing and Wrestling Commission Act of 1975, effective October 8, 1975
(D.C. Law 1-20; D.C. Official Code § 3-601 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 3-602) is amended by inserting a new paragraph (g) to
read as follows:

“(g) The term “domestic partner” shall have the same meaning as provided in section 2(3)
of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114;
D.C. Official Code § 32-701(3)).”.

(b) Section 10(a) (D.C. Official Code § 3-609(a)) is amended by inserting after the word
“spouse” the phrase “or domestic partner”.

Sec. 10. The District of Columbia Health Occupations Revision Act of 1985, effective
March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 3-1201.01) is amended by adding a new paragraph
(6A) to read as follows:

“(6A) “Domestic partnership” shall have the same meaning as provided in section
2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-

114; D.C. Official Code § 32-701(4).” 1

(b) Section 401(d) (D.C. Official Code § 3-1204.01(d)) is amended by striking the phrase 2
“by blood or marriage” and inserting the phrase “by blood, marriage, or domestic partnership” in 3
its place. 4

Sec. 11. The Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles 5
for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; 6
D.C. Official Code § 3-1301 *et seq.*), is amended as follows: 7

(a) Section 4 (D.C. Official Code § 3-1320) is amended as follows: 8

(1) By designating the existing text as subsection (a). 9

(2) By inserting after the phrase “spouse,” the phrase “domestic partner,”. 10

(3) By inserting a new subsection (b) to read as follows: 11

“(b) For purposes of this section, the term “domestic partner” shall have the same 12
meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective 13
June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).” 14

(b) Section 4 (D.C. Official Code § 3-1328) is amended as follows: 15

(1) By designating the existing text as subsection (a). 16

(2) By inserting after the word “married” the phrase “to, in a domestic partnership 17
with,”. 18

(3) By inserting a new subsection (b) to read as follows: 19

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“(b) For purposes of this section, the term “domestic partnership” shall have the same meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”.

Sec. 12. Section 102 of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02), is amended as follows:

(a) By inserting a new paragraph (6a) to read as follows:

“(6a) “Domestic partnership” shall have the same meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”.

(b) Paragraph (12) is amended by inserting after the phrase “marriage,” the phrase “domestic partnership,”.

(c) Paragraph (14)(D)(i) is amended by inserting after the phrase “marriage,” the phrase “domestic partnership,”.

Sec. 13. Section 5 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 6, 1966 (80 Stat. 1355; D. C. Official Code § 4-1321.05), is amended by striking the phrase “husband-wife” and inserting the phrase “spouse or domestic partner” in its place

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Sec. 14. Section 3 of an Act to authorize the establishment of a band in the Metropolitan Police Force, approved July 11, 1947 (73 Stat. 640; D.C. Official Code § 5-131.03), is amended as follows:

(a) By designating the existing text as subsection (a).

(b) By inserting after the phrase “spouse,” the phrase “domestic partner,” wherever it appears.

(c) By inserting a new subsection (b) to read as follows:

“(b) For the purposes of this section, the term “domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).”.

Sec. 15. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 6-201) is amended by inserting a new paragraph (16A) to read as follows:

“(16A) “Domestic partner” shall have the same meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”.

(b) Section 12(q) (D.C. Official Code § 6-211(q)) is amended by inserting after the

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phrase “spouse” the phrase “or domestic partner” wherever it appears. 1

Sec. 16. The Natural Death Act of 1981, effective February 25, 1982 (D.C. Law 4-69; 2
D.C. Official Code § 7-621 *et seq.*), is amended as follows: 3

(a) Section 2 (D.C. Official Code § 7-621) is amended by inserting a new paragraph (2A) 4
to read as follows: 5

“(2A) “Domestic partnership” means the same as provided in section 2(4) of the 6
Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 7
Official Code § 32-701(4)).” 8

(b) Section 3 (D.C. Official Code § 7-622) is amended by striking the phrase “blood or 9
marriage” and inserting in its place the phrase “blood, marriage, or domestic partnership” 10
wherever it appears. 11

Sec. 17. The Mental Health Consumers' Rights Protection Act of 2001, effective 12
December 18, 1981 (D.C. Law 14-56; D.C. Official Code § 7-1231.01 *et seq.*), is amended to 13
read as follows: 14

(a) Section 102 (D.C. Official Code § 7-1231.02) is amended by inserting a new 15
paragraph (8A) to read as follows: 16

“(8A) “Domestic partnership” means the same as provided in section 2(4) of the 17
Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 18

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Official Code § 32-701(4).” 1

(b) Section 213(3) (D.C. Official Code § 7-1231.13(3)) is amended to read as follows: 2

“(3) Marry or enter into a domestic partnership, or obtain a divorce, annulment, 3
or dissolution of marriage or a termination of a domestic partnership in accordance with (3)(d) of 4
the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 5
Official Code § 32-702(d)).” 6

Sec. 18. Section 2 of the AIDS Health-Care Response Act of 1986, effective June 10, 7
1986 (D.C. Law 6-121; D.C. Official Code § 7-1601), is amended as follows: 8

(a) By inserting a new paragraph (3A) to read as follows: 9

“(3A) “Domestic partnership” means the same as provided in section 2(4) of the 10
Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 11
Official Code § 32-701(4)).” 12

(b) Paragraph (4) (D.C. Official Code § 7-1601(4)) is amended by inserting after the 13
word “marriage,” the phrase “domestic partnership.” 14

Sec. 19. Section 15-503 of the District of Columbia Official Code is amended as follows: 15

(a) Subsection (a) is amended by striking the phrase “husband and wife” and inserting in 16
its place the phrase “spouses or domestic partners” wherever it appears. 17

(b) Subsection (d) is amended by inserting after the word “spouse” the phrase “or 18

domestic partner”. 1

(c) By adding a new subsection (e) to read as follows: 2

“(e) For the purposes of this section, the term “domestic partner” has the same meaning 3
as provided in § 32-701(3).” 4

Sec. 20. Title 16 of the District of Columbia Official Code is amended as follows: 5

(a) Section 16-904(d)(1) is amended by striking the phrase “wife or husband” and 6
inserting the word “spouse” in its place. 7

(b) Section 16-910 is amended by striking the phrase “§ 32-702” in the lead in language 8
and inserting the phrase “§ 32-702(d)” in its place. 9

(c) Section 16-911 is amended as follows: 10

(1) Paragraph (a) is amended by striking the phrase “§ 32-702” and inserting the 11
phrase “§ 32-702(d)” in its place. 12

(2) Subparagraph (a)(1) is amended by striking the word “provide” and inserting 13
the word “provided” in its place. 14

(d) Section 16-913(a) is amended by striking the phrase “§ 32-702” and inserting the 15
phrase “§ 32-702(d)” in its place. 16

(e) Section 16-916(b) is amended by inserting after the phrase “termination of the 17
domestic partnership,” the phrase “in accordance with § 32-702(d),”. 18

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(f) Section 16-1908 is amended as follows: 1

(1) By striking the phrase “or husband” and inserting in its place the phrase
“spouse or domestic partner”. 2
3

(2) By striking the phrase “or wife” and inserting in its place the phrase “spouse
or domestic partner”. 4
5

(3) By inserting the following sentence at the end: 6

“For the purposes of this section, the term “domestic partner” has the same meaning as
provided in § 32-701(3).” 7
8

(g) Section 16-2301 is amended by adding a new paragraph (44) to read as follows: 9

“(44) The term “domestic partner” shall have the same meaning as provided in
D.C. Official Code § 32-701(3).” 10
11

(h) Section 16-2359(e) is amended by striking the phrase “husband/wife” and inserting
the phrase “spouse or domestic partner” in its place. 12
13

(i) Section 16-2388(e) is amended by striking the phrase “husband/wife” and inserting
the phrase “spouse or domestic partner” in its place. 14
15

Sec. 21. Title 19 of the District of Columbia Official Code is amended as follows: 16

(a) Section 19-1101 is amended by inserting a new paragraph (6A) to read as follows: 17

“(6A) “Domestic partner” shall have the same meaning as provided in § 32- 18

701(3).” 1

(b) Section 19-1106(a) is amended by striking the phrase “husband and wife” and 2
inserting the phrase “spouses or domestic partners” in its place. 3

Sec. 22. Title 21 of the District of Columbia Official Code is amended as follows: 4

(a) Section 21-501 is amended by inserting a new paragraph (4A-1) to read as follows: 5

“(4A-1) “Domestic partner” means the same as provided in § 32-701(3).” 6

(b) Section 21-512(a) is amended by inserting after the word “spouse” the phrase “or 7
domestic partner”. 8

(c) Section 21-522(d) is amended by inserting after the word “spouse” the phrase “or 9
domestic partner”. 10

(d) Section 21-527 is amended by inserting after the word “spouse” the phrase “or 11
domestic partner” wherever it appears. 12

(e) Section 21-565 is amended by inserting after the word “spouse” the phrase “, 13
domestic partner”. 14

(f) Section 21-582(a)(1) is amended by striking the phrase “blood or marriage” and 15
inserting the phrase “blood, marriage, or domestic partnership” in its place. 16

(g) Section 21-2202 is amended by inserting a new paragraph (2B) to read as follows: 17

“(2B) “Domestic partnership” means two adult persons living together, but not 18

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married, in a committed, intimate relationship. The term “domestic partnership” shall include 1
any relationship registered under section 2(4) of the Health Care Benefits Expansion Act of 1992, 2
effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4), as well as any 3
relationship in another jurisdiction that includes a substantially equivalent registration 4
requirement, including those relationships recognized under section 3(i) of the Health Care 5
Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Code § 32- 6
702(i).”. 7

(h) Section 21-2208(e) is amended to read as follows: 8

“(e) Unless a durable power of attorney for health care expressly provides otherwise, and 9
after its execution the marriage or domestic partnership of the principal is dissolved, annulled, or 10
terminated in accordance with section (3)(d) of the Health Care Benefits Expansion Act of 1992, 11
effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), the dissolution, 12
annulment, or termination, shall automatically revoke a designation of the former spouse or 13
domestic partner as an attorney in fact to make health-care decisions for the principal. If a 14
designation is revoked solely on account of this subsection, it shall be revived by the remarriage 15
of the principal to the former spouse, or the reentry of the domestic partnership of the principal to 16
the domestic partner, but may be subsequently revoked by an act of the principal.”. 17

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Sec. 23. An Act To establish a code of laws for the District of Columbia, approved 1
March 3, 1901 (31 Stat.1330; D.C. Official Code § 22-1403), is amended as follows: 2

(a) Section 870 (D.C. Official Code § 22-501) is amended to read as follows: 3

“(a) Whoever, having a spouse or domestic partner living, marries or enters a domestic 4
partnership with another shall be deemed guilty of bigamy, and on conviction thereof shall suffer 5
imprisonment for not less than 2 nor more than 7 years; provided, that this section shall not apply 6
to any person whose: 7

“(1) Spouse or domestic partner has been continually absent for 5 successive 8
years next before such marriage or domestic partnership without being known to such person to 9
be living within that time; 10

“(2) Marriage to said living spouse shall have been dissolved by a valid decree of 11
a competent court, or shall have been pronounced void by a valid decree of a competent court on 12
the ground of the nullity of the marriage contract; or 13

“(3) Domestic partnership with said living domestic partner has been terminated 14
in accordance with section 3(d) of the Health Care Benefits Expansion Act of 1992, effective 15
June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d). 16

“(b) For the purposes of this section, the term: 17

“(1) “Domestic partner” shall have the same meaning as provided in section 2(3) 18

of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; 1
D.C. Official Code § 32-701(3)). 2

“(2) “Domestic partnership” shall have the same meaning as provided in section 3
2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9- 4
114; D.C. Official Code § 32-701(4)).” 5

(b) Section 859 (D.C. Official Code § 22-1403), is amended to read as follows: 6

“Whoever falsely personates another person before any court of record or judge thereof, 7
or clerk of court, or any officer in the District authorized to administer oaths or take the 8
acknowledgment of deeds or other instruments or to grant marriage licenses or accepts domestic 9
partnership registrations, with intent to defraud, shall be imprisoned for not less than 1 year nor 10
more than 5 years. “Domestic partnership” shall have the same meaning as that term is defined 11
in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. 12
Law 9-114; D.C. Official Code § 32-701(4)).” 13

Sec. 24. Title 23 of the District of Columbia Official Code is amended as follows: 14

(a) Section 23-541 is amended by inserting a new paragraph (12) to read as follows: 15

“(12) The term “domestic partner” shall have the same meaning as provided in 16
D.C. Official Code § 32-701(3).” 17

(b) Section 23-547(d) is amended as follows: 18

ENGROSSED ORIGINAL

(1) By striking the phrase “a husband and wife” and inserting the phrase “spouses or domestic partners,” in its place. 1
2

(2) Paragraph (2) is amended by striking the phrase “husbands and wives” and inserting the phrase “spouses or domestic partners” in its place. 3
4

Sec. 25. An Act Relating to the payment or delivery by banks or other persons or institutions in the District of Columbia of deposits of money and property held in the names of two or more persons, and for other purposes, approved May 15, 1928 (45 Stat. 533; D.C. Official Code § 26-801 *et seq.*), is amended as follows: 5
6
7
8

(a) Section 1 (D.C. Official Code § 26-801) is amended as follows: 9

(1) By striking the phrase “husband and wife” and inserting the phrase “spouses or domestic partners” in its place. 10
11

(2) By inserting the following at the end: 12

“For purposes of this section, the term “domestic partner” shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).” 13
14
15

(b) Section 2 (D.C. Official Code § 26-802) is amended as follows: 16

(1) By striking the phrase “husband and wife” and inserting in its place the phrase “spouses or domestic partners” wherever it appears. 17
18

ENGROSSED ORIGINAL

(2) By inserting the following at the end: 1

“For purposes of this section, the term “domestic partner” shall have the same meaning as 2
provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 3
1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).” 4

Sec. 26. Title 28 of the District of Columbia Official Code is amended as follows: 5

(a) Section 28-4801.02 is amended by inserting new paragraphs (2A) and (2B) to read as 6
follows: 7

“(2A) “Domestic partner” means the same as provided in § 32-701(3). 8

“(2B) “Domestic partnership” means the same as provided in § 32-701(4).” 9

(b) Section 28-4801.04(c)(1) is amended by inserting after the word “spouse” the phrase 10
“or domestic partner”. 11

(c) Section 28-4804.09(d) is amended by inserting after the word “marital” the phrase “or 12
domestic partnership”. 13

(d) Section 28-4804.13(a) is amended by inserting after the word “spouse” the phrase “or 14
domestic partner” wherever it appears. 15

(e) Section 28-4805.06(b) is amended by inserting after the word “marital” the phrase “or 16
domestic partnership” wherever it appears. 17

Sec. 27. The Health Insurance Portability and Accountability Federal Law Conformity 1
and No-Fault Motor Vehicle Insurance Act of 1998, effective April 13, 1999 (D.C. Law 12-209; 2
D.C. Official Code § 31-3301.01 *et seq.*), is amended as follows: 3

(a) Section 101 (D.C. Official Code § 31-3301.01) is amended by inserting a new 4
paragraph (9A) to read as follows: 5

“(9A) “Domestic partnership” shall have the same meaning as that term is 6
defined in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 7
1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).” 8

(b) Section 307 (D.C. Official Code § 31-3303.07) is amended as follows: 9

(1) Paragraph (k) (D.C. Official Code § 31-3303.07(k)) is amended by inserting 10
after the word “marriage” the phrase “or domestic partnership”. 11

(2) Paragraph (l)(1) (D.C. Official Code § 31-3303.07(l)(1)) is amended by 12
inserting after the word “marriage” the phrase “or domestic partnership”. 13

Sec. 28. The Life Insurance Act, approved June 19, 1934 (48 Stat. 1127; D.C. Official 14
Code § 31-4201 *et seq.*), is amended as follows: 15

(a) Section 1 of Chapter 1 (D.C. Official Code § 31-4202) is amended by inserting new 16
paragraphs (20) and (21) to read as follows: 17

“(20) “Domestic partner” means the same as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).

“(21) “Domestic partnership” means the same as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”.

(b) Section 31 of Chapter II (D.C. Official Code § 31-4330) is amended by striking the phrase “husband, wife” and inserting the word “spouse” in its place.

(c) Section 12 of Chapter V (D.C. Official Code § 31-4712) is amended as follows:

(1) Subsection (b)(1)(C) (D.C. Official Code § 31-4712(b)(1)(C)) is amended by striking the phrase “husband, wife” and inserting the phrase “spouse, domestic partner” in its place.

(2) Subsection (c)(1)(I)(ii) (D.C. Official Code § 31-4712(c)(1)(I)(ii)) is amended by inserting after the word “marriage” the phrase “or domestic partnership”.

Sec. 29. Section 9 of the Employment Services Licensing and Regulation Act of 1984, effective March 13, 1985 (D.C. Law 5-136; D.C. Official Code § 32-408), is amended as follows:

(a) By inserting after phrase “marital status,” the phrase “domestic partnership,”.

(b) By inserting the following section at the end: 1

“For the purposes of this section, the term “domestic partnership” shall have the same 2
meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective 3
June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).” 4

Sec. 30. Section 3 of the Health Care Benefits Expansion Act of 1992, effective June 11, 5
1992 (D.C. Law 9-114; D.C. Official Code § 32-702), is amended as follows: 6

(a) By amending subsections (d) and (e) to read as follows: 7

“(d) A domestic partnership may be terminated only by the following methods: 8

“(1) Either domestic partner may terminate the domestic partnership by filing a 9
termination statement with the Mayor. The person filing the termination statement shall declare 10
that: 11

“(A) The domestic partnership is to be terminated; and 12

“(B) A copy of the termination statement has been served on the other 13
domestic partner if the termination statement is not signed by both domestic partners. 14

“(2) A domestic partner may terminate a domestic partnership because the other 15
domestic partner has abandoned the domestic partnership by filing a termination statement with 16
the Mayor. The person filing the termination statement shall declare that: 17

ENGROSSED ORIGINAL

“(A) The domestic partnership is to be terminated; 1

“(B) The other domestic partner permanently departed the mutual 2
residence at least 6 months before the filing of the termination statement, or has not been in 3
contact with the domestic partner filing the termination statement for at least 6 months preceding 4
the filing of the termination statement; and 5

“(C) If the location of the other domestic partner is known, a copy of the 6
termination statement has been served on the other domestic partner. 7

“(3) A domestic partnership shall terminate if the domestic partners marry each 8
other. Notice that the domestic partnership has been terminated in this manner shall be provided 9
to the Mayor within 30 days of the marriage. 10

“(4) A domestic partnership shall terminate upon the death of either domestic 11
partner. 12

“(e)(1) A termination pursuant to subsection (d)(1) of this section shall take effect 6 13
months after the termination statement is filed, during which period benefits will continue to 14
accrue. 15

“(2) A termination pursuant to subsection (d)(2) of this section shall take effect 16
immediately upon the filing of the statement. 17

ENGROSSED ORIGINAL

“(3) A termination pursuant to subsection (d)(3) of this section shall take effect 1
immediately upon the date of the marriage. 2

“(4) A termination pursuant to subsection (d)(4) of this section shall take effect 3
immediately upon the death of the domestic partner. 4

“(5) No provision of this subsection shall be interpreted to terminate any rights or 5
benefits otherwise afforded under the law to a surviving domestic partner.” 6

(b) Subsection (h) is amended by striking the phrase “Private sector employees” and 7
inserting the phrase “District residents who are not government employees” in its place. 8

(c) By inserting a new subsection “(i)” to read as follows: 9

“(i) Relationships established in accordance with the laws of other jurisdictions that are 10
substantially similar to domestic partnerships established by this act, as certified by the Mayor, 11
shall be recognized as domestic partnerships in the District.” 12

Sec. 31. The District of Columbia Workers' Compensation Act of 1979, effective July 1, 13
1980 (D.C. Law 3-77; D.C. Official Code § 32-1501 *et seq.*), is amended as follows: 14

(a) Section 2 (D.C. Official Code § 32-1501) is amended as follows: 15

(1) By inserting new paragraphs (h-1) and (h-2) to read as follows: 16

“(h-1) “Domestic partner” shall have the same meaning as defined in section 2(3) of the 17
Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 18

ENGROSSED ORIGINAL

Official Code § 32-701(3)). 1

“(h-2) “Domestic partnership” shall have the same meaning as defined in section 2(4) of 2
the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 3
Official Code § 32-701(4)).” 4

(2) By amending paragraph (t) to read as follows: 5

“(t) “Surviving spouse or domestic partner” includes the decedent’s spouse or domestic 6
partner living with or dependent for support upon the decedent at the time of his or her death; or 7
living apart for justifiable cause or by reason of his or her desertion at such time.” 8

(b) Section 5(a) (D.C. Official Code § 32-1504(a)) is amended by striking the phrase 9
“husband or wife,” and inserting the phrase “spouse or domestic partner,” in its place. 10

(c) Section 7 (D.C. Official Code § 32-1506) is amended by striking the phrase “widow 11
or widower” and inserting the phrase “surviving spouse or domestic partner” in its place. 12

(d) Section 9(d) (D.C. Official Code § 32-1508(4)) is amended as follows: 13

(1) By striking the phrase “widow or widower” and inserting in its place the 14
phrase “spouse or domestic partner” wherever it appears. 15

(2) Subparagraph (5) is amended as follows: 16

(A) By inserting after the phrase “surviving spouse” the phrase “or 17
domestic partner”. 18

ENGROSSED ORIGINAL

(B) By striking the phrase “wife, husband, or child” and inserting the phrase “spouse, domestic partner, or child” in its place.

(d) Section 10 (D.C. Official Code § 32-1509) is amended as follows:

(1) By striking the phrase “widow or widower” and inserting in its place the phrase “surviving spouse or domestic partner” wherever it appears.

(2) Paragraph (2) is amended as follows:

(1) By striking the phrase “during widowhood, or widowerhood” and inserting the phrase “for as long as the surviving spouse or domestic partner does not remarry or enter into a domestic partnership” in its place.

(2) By striking the phrase “upon remarriage” and inserting the phrase “upon remarriage or entry into a domestic partnership” in its place.

(3) By striking the phrase “death or remarriage” and inserting the phrase “death, remarriage, or entry into a domestic partnership” in its place.

Sec. 32. An act for the retirement of public-school teachers in the District of Columbia, approved August 7, 1946 (60 Stat. 875; D.C. Official Code § 38-2021.01 *et seq.*), is amended as follows:

(a) Section 5 (D.C. Official Code § 38-2021.05) is amended as follows:

(1) By striking the phrase “widow or widower” and inserting in its place the

phrase “spouse or domestic partner” wherever it appears. 1

(2) Subsection (b) is amended as follows: 2

(i) Paragraph (1) is amended to read as follows: 3

“(1) A reduced annuity and an annuity after death payable to the surviving spouse 4
or domestic partner of such teacher. The life annuity of a teacher making such election, or any 5
portion of such annuity designated by the teacher in writing for such purposes at the time of 6
retirement, shall be reduced by 2 1/2% of so much thereof as does not exceed \$ 3,600 and by 7
10% of so much thereof as exceeds \$ 3,600. The spouse or domestic partner of a teacher making 8
such election shall be entitled to an annuity equal to 55% of such life annuity, or designated 9
portion thereof, except that if a retired teacher who has elected a reduced annuity as provided in 10
this paragraph or in subsection (d) of this section dies and is survived by a spouse or domestic 11
partner whom he or she married or entered into a domestic partnership with after retirement, such 12
spouse or domestic partner is entitled to an annuity in an amount which would have been paid 13
had the teacher been married to, or in a domestic partnership with, the spouse or domestic partner 14
at the time of retirement, but only if: (A) such spouse or domestic partner was married to, or in a 15
domestic partnership with, such individual for at least 2 years immediately preceding the 16
teacher's death, or is the mother or father of issue of such marriage or domestic partnership; and 17
(B) such spouse or domestic partnership elects this annuity instead of any other survivor benefit 18
to which he or she may be entitled under this part or another retirement system for employees of 19

the federal or District government. The annuity of a spouse or domestic partner entitled to an annuity under this paragraph shall begin on the day after the retiree dies. Such annuity and any right thereto shall terminate on the last day of the month before: (A) the spouse or domestic partner dies; or (B) the spouse or domestic partner remarries or enters into a domestic partnership before becoming 60 years of age. In the case of a surviving spouse or domestic partner whose annuity under this paragraph is terminated because of remarriage or entry into a domestic partnership before becoming 60 years of age, annuity at the same rate shall be restored commencing on the day the remarriage is dissolved by death, annulment, or divorce, or the day the domestic partnership is terminated in accordance with section (3)(d) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702(d)), if:

“(i) The surviving spouse or domestic partner elects to receive the annuity which was terminated instead of a survivor benefit to which the surviving spouse or domestic partner may be entitled, under this part or another retirement system for employees of the federal or District government, by reason of the remarriage or entry into a domestic partnership; and

“(ii) Any lump sum paid on termination of the annuity is repaid to the Custodian of Retirement Funds (as defined in section 102(6) of the District of Columbia Retirement Reform Act (93 Stat. 868; D.C. Official Code § 1-702(6)) for deposit in the District of Columbia Teachers' Retirement Fund established by section 123(a) of the District of Columbia

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Retirement Reform Act (93 Stat. 873; D.C. Official Code § 1-713(a)).” 1

(ii) Paragraph (2) is amended by inserting after the phrase “unmarried” the 2
phrase “, not in a domestic partnership,”. 3

(3) Subsection (d) is amended as follows: 4

(i) By inserting after the word “unmarried” the phrase “and not in a 5
domestic partnership”. 6

(ii) By inserting after the word “spouse” the phrase “or domestic 7
partner” wherever it appears. 8

(iii) By inserting after the word “marries” the phrase “or enters into 9
a domestic partnership” wherever it appears. 10

(b) Section 9 (D.C. Official Code § 38-2021.09)) is amended as follows: 11

(1) Subsection (b) is amended to read as follows: 12

“(b)(1) In the event any teacher to whom this part applies shall die subsequent to March 13
6, 1952, after completing at least 18 months of eligible service and is survived by a spouse or 14
domestic partner, such surviving spouse or domestic partner shall be paid an annuity beginning 15
the day after the teacher dies, equal to 55% of the amount of an annuity computed as provided in 16
subsection (a) of § 38-2021.05 with respect to such teacher, except that in the computation of the 17
annuity under such subsection the annuity of the teacher shall be at least the smaller of: (A) forty 18
per centum of his average salary; or (B) the sum obtained under such subsection after increasing 19

his eligible service of the type last performed by the period elapsing between the date of death 1
 and the date he would have become 60 years of age. Such annuity and any right thereto shall 2
 terminate on the last day of the month before: (A) the surviving spouse or domestic partner dies; 3
 or (B) the surviving spouse or domestic partner remarries or enters a new domestic partnership 4
 before becoming 60 years of age. In the case of a surviving spouse or domestic partner whose 5
 annuity under this paragraph is terminated because of remarriage or entry into a new domestic 6
 partnership before becoming 60 years of age, annuity at the same rate shall be restored 7
 commencing on the day the remarriage is dissolved by death, annulment, or divorce, or the new 8
 domestic partnership is terminated in accordance with section (3)(d) of the Health Care Benefits 9
 Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32- 10
 702(d)), if: 11

“(i) The surviving spouse or domestic partner elects to receive the 12
 annuity which was terminated instead of a survivor benefit to which the surviving spouse or 13
 domestic partner may be entitled, under this part or another retirement system for employees of 14
 the federal or District government, by reason of the remarriage or new domestic partnership; and 15

“(ii) Any lump sum paid on termination of the annuity is repaid to 16
 the Custodian of Retirement Funds (as defined in § 1-702(6)) for deposit in the District of 17
 Columbia Teachers' Retirement Fund established by § 1-713(a). 18

“(2) If any teacher to whom this part applies shall die after completing at least 18 19
 months of eligible service or after having retired under the provisions of section 3 of An act for 20

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the retirement of public school teachers in the District of Columbia (60 Stat 876; D.C. Official Code § 38-2021.03) or section 4 of An act for the retirement of public school teachers in the District of Columbia (60 Stat 877; D.C. Official Code § 38-2021.04) and is survived by a spouse or domestic partner, each surviving child shall be paid an annuity equal to the smallest of: (A) sixty per centum of the teacher's average salary divided by the number of children; (B) \$ 900; or (C) \$ 2,700 divided by the number of children. If such teacher is not survived by a spouse or domestic partner, each surviving child shall be paid an annuity equal to the smallest of: (A) seventy-five per centum of the teacher's average salary divided by the number of children; (B) \$ 1,080; or (C) \$ 3,240 divided by the number of children. The child's annuity shall commence on the first day after the teacher dies. Such annuity and the right thereto terminate on the last day of the month before the child: (i) becomes 18 years of age unless he is then a student as described or incapable of self-support; (ii) becomes capable of self-support after becoming 18 years of age unless he or she is then such a student; (iii) becomes 22 years of age if he or she is then such a student and capable of self-support; (iv) ceases to be such a student after becoming 18 years of age unless he or she is then incapable of self-support; or (v) dies or marries; whichever first occurs. Upon the death of the surviving spouse or domestic partner or termination of the annuity of the child, the annuity of any other child or children shall be recomputed and paid as though such spouse, domestic partner, or child had not survived the teacher.

“(3) In the event any teacher to whom this part applies shall die subsequent to March 6, 1952, after completing at least 18 months of eligible service, and is not survived by a

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spouse, domestic partner, and/or children, but is survived by dependent parents or a dependent 1
father or a dependent mother, such surviving dependent parents or parent shall be paid an 2
annuity, beginning the first day of the month following the death of the teacher, equal to 55% of 3
the amount of an annuity computed as provided in subsection (a) of § 38-2021.05 with respect to 4
such teacher, except that, in the computation of the annuity under such subsection, the annuity of 5
the teacher shall be at least the smaller of 40% of his average salary, or the sum obtained under 6
such subsection after increasing his eligible service of the type last performed by the period 7
elapsing between the date of death and the date he would have become 60 years of age; provided, 8
that such payments shall be made jointly to surviving dependent parents and payment of such 9
annuity shall continue after the death of either dependent parent; provided further, that all such 10
payments or any right thereto shall cease upon the death of both dependent parents.”. 11

(2) Subsection (c) is amended as follows: 12

(A) Paragraph (1) is amended to read as follows: 13

“(1) The term "spouse" means a surviving wife or husband of an individual, who 14
either shall have been married to such individual for at least 2 years immediately preceding the 15
individual’s death, or is the mother or father of issue by such marriage. 16

(B) Paragraph (5) is repealed. 17

(C) By inserting a new paragraph (7) to read as follows: 18

“(7) The term “domestic partner” shall have the same meaning as defined in 19
section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. 20

Law 9-114; D.C. Official Code § 32-701(3)) and who shall have been a domestic partner with
such individual for at least 2 years immediately preceding his death.

(c) Section 10(b)(1)(A) (D.C. Official Code § 38-2021.10(b)(1)(B)) is amended by
striking the phrase “widow or widower” and inserting the phrase “spouse or domestic partner” in
its place.

(d) Section 13 (D.C. Official Code § 38-2021.13) is amended by inserting new
paragraphs (d) and (e) to read as follows:

“(d) For purposes of this part, the term “domestic partner” shall have the same meaning
as defined in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11,
1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)).

“(e) For purposes of this part, the term “domestic partnership” shall have the same
meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective
June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”

(e) Section 23 (D.C. Official Code § 38-2021.23) is amended by inserting after the word
“spouse” the phrase “or domestic partner”.

Sec. 33. An Act To establish a code of law for the District of Columbia, approved March
3, 1901 (31 Stat. 1189; D.C. Official Code § 42-516 and § 42-601), is amended as follows:

(a) Section 1031(a) (D.C. Official Code § 42-516(a)) is amended by striking the phrase
“including estates granted or devised to husband and wife,” and inserting the phrase “including
estates granted or devised to spouses or domestic partners, as defined in section 2(3) of the

Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3),” in its place.

(b) The second deed form in sub-chapter 5 of Chapter 16 (D.C. Official Code § 42-601) is amended to read as follows:

“DEED BY SPOUSE OR DOMESTIC PARTNER

“This deed, made this ___ day of ___, in the year ___, by us, ___ and ___, his or her spouse or domestic partner, of ___, witnesseth, that in consideration of ___, we, the said ___ and his or her spouse or domestic partner, do grant unto ___, of ___, and so forth.

“Witness our hands and seals. [Seal.] [Seal.]”.

Sec. 34. Section 302(7) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 11; D.C. Official Code § 42-1102(7)), is amended by striking the phrase “husband and wife” and inserting the word “spouses” in its place.

Sec. 35. The Residential Real Property Seller Disclosure, Funeral Services Date Change, and Public Service Commission Independent Procurement Authority Act of 1998, effective April 20, 1999 (D.C. Law 12-263; D.C. Official Code § 42-1301 et seq.), is amended as follows:

(a) Section 2(b)(6) (D.C. Official Code § 42-1301(b)(6)) is amended by inserting after the phrase “spouse,” the phrase “domestic partner,”.

(b) Section 2(b)(7) (D.C. Official Code § 42-1301(b)(7)) is amended by inserting after the word “spouses” the phrase “or domestic partners”.

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(c) By inserting a new subsection (c) to read as follows: 1

“(c) For purposes of this section, the term “domestic partnership” shall have the same 2
meaning as provided in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective 3
June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).” 4

Sec. 36. The Condominium Act of 1976, effective March 29, 1977 (D.C. Law 1-89; D.C. 5
Official Code § 42-1901.01 *et seq.*), is amended as follows: 6

(a) Section 102 (D.C. Official Code § 42-1901.02) is amended by inserting a new 7
paragraph (12A) to read as follows: 8

“(12A) “Domestic partner” shall have the same meaning as provided in section 2(3) of 9
the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. 10
Official Code § 32-701(3)).” 11

(b) Section 103 (D.C. Official Code § 42-1901.03) is amended by striking the phrase “(in 12
the case of husband and wife)” and inserting the phrase “(in the case of spouses or domestic 13
partners)” in its place. 14

Sec. 37. Section 402(c)(2)(B) of the Rental Housing Conversion and Sale Act of 1980, 15
effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3404.02(c)(2)(B)), is 16
amended by striking the phrase “husband and wife” and inserting the word “spouses” in its place. 17

Sec. 38. Section 303(e)(2) of the Rental Housing Act of 1985, effective July 17, 1985 18
(D.C. Law 6-10; D.C. Official Code § 42-3503.03(e)(2)), is amended by striking the phrase 19
“other than the husband and wife” and inserting the phrase “other than spouses” in its place. 20

Sec. 39. Section 205(b)(3)(C) of the Nursing Home and Community Residence Facility Residents' Protections Act of 1985, effective April 18, 1986 (D.C. Law 6-108; D.C. Official Code § 44-1002.05(b)(3)(C)), is amended to read as follows:

“(C) A parent, child, grandchild, spouse, domestic partner, sibling, first cousin, aunt, or uncle of one of the facility's residents, whether the relationship arises by blood, marriage, domestic partnership, or adoption. For the purposes of this section, the term “domestic partner” shall have the same meaning as defined in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3)), and the term “domestic partnership” shall have the same meaning as defined in section 2(4) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(4)).”

Sec. 40. The Uniform Premarital Agreement Act of 1995, effective February 9, 1996 (D.C. Law 11-82; D.C. Official Code § 46-501 *et seq.*) is amended as follows:

(a) Section 4(a)(3) (D.C. Official Code § 46-503(a)(3)) is amended by striking the phrase “under § 32-702,” and inserting the phrase “, pursuant to § 32-702(d),” in its place.

(b) Section 7(b) (D.C. Official Code § 46-506(b)) is amended by striking the phrase “under § 32-702,” and inserting the phrase “, pursuant to § 32-702(d),” in its place.

Sec. 41. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-802 is amended by inserting a new paragraph (15) to read as follows:
“(15) The term “domestic partner” shall have the same meaning as provided in § 32-

701(3)).” 1

(b) Section 47-845(e) is amended to read as follows: 2

“(e) Taxes deferred under this section, together with all accumulated interest, shall 3
constitute a preferential lien upon the real property which shall be immediately payable by the 4
seller, transferor, or conveyor whenever the real property is sold, refinanced, transferred, or 5
conveyed in any manner, or whenever additional co-owners (other than spouse or domestic 6
partner) are added to the real property; except, that whenever such real property is sold, 7
transferred, or conveyed to the mother, father, spouse, domestic partner, children by blood or 8
legally adopted children of the seller, transferor, or conveyor, the deferred taxes lien, if not 9
satisfied, shall remain in full force and effect.” 10

(c) Section 47-845.03(l) is amended by inserting after the word “spouse” the phrase “or 11
domestic partner”. 12

(d) Section 47-902(5) is amended by striking the phrase “husband and wife” and inserting 13
the word “spouses” in its place. 14

(e)Section 47-1801.04 is amend by inserting a new paragraph (1B) to read as follows: 15

“(1B) “Domestic partnership” shall have the same meaning as provided in § 32- 16
701(4).” 17

(f) Section 47-1802.01(19)(B) is amended by striking the phrase “spouses, widows, or 18
widowers” and inserting the phrase “spouses or domestic partners, or surviving spouses or 19
domestic partners,” in its place. 20

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(g) Section 47-1803.02(a)(2)(W) is amended by inserting after the word “premium” the phrase “and other cost or expenses”. 1 2

(h) Section 47-1803.03(c) is amended by striking the last sentence and inserting in its place “If spouses or domestic partners file separate returns, the applicable standard deduction shall be allowed to neither if the net income of one of the spouses or domestic partners is determined by itemizing deductions.”. 3 4 5 6

(i) Section 47-1806.03 is amended as follows: 7

(1) subsection (c) is amended by striking the phrase “husband or wife” and inserting the phrase “spouse (or domestic partner)” in its place. 8 9

(2) subsection (e) is amended by striking the phrase “husband and wife” and inserting the phrase “spouses (or domestic partners)” in its place. 10 11

(j) Section 47-1806.06 is amended as follows: 12

(1) Subsection (b)(5) is amended by inserting after the word “spouse” the phrase “(or domestic partner)”. 13 14

(2) Subsection (j)(2) is amended by striking the phrase “husband and wife” and inserting the phrase “spouses (or domestic partners)” wherever it appears. 15 16

(k) Section 47-1807.04(b)(8) is amended by inserting after the word “spouse” the phrase “(or domestic partner)”. 17 18

(l) Section 47-1807.05(b)(7) is amended by inserting after the word “spouse” the phrase “, or domestic partner,”. 19 20

(m) Section 47-1807.07(a)(6) is amended by striking the phrase “(and, if married, the employee’s spouse)” and inserting “(and, if married (or in a domestic partnership), the employee’s spouse (or domestic partner))” in its place.

(n) Section 47-1812(i)(3) is amended to read as follows:

“(3) In the case of a husband and wife (or domestic partner who filed under § 47-1805.01(f)), a single declaration under this section may be made by them jointly, in which case the liability with respect to the estimated tax shall be joint and several. No joint declaration may be made if the husband and wife are separated under a decree of divorce or of separate maintenance (or domestic partner who filed under § 47-1805.01(f) has terminated the domestic partnership in accordance with § 32-702(d)), or if they have different taxable years. If a joint declaration is made but a joint return is not made for the taxable year, the estimated tax for such year may be treated as the estimated tax of either spouse (or domestic partner who filed under § 47-1805.01(f)), or may be divided between them.”.

(m) Section 47-1817.02(c)(2)(D) is amended by inserting after the word “spouse” the phrase “(or domestic partner)”.

(o) Section 47-3701 of the District of Columbia Official Code is amended as follows:

(1) By inserting a new paragraph (3A) to read as follows:

“(3A) “Domestic partner” shall have the same meaning as provided in § 32-701(4).”.

(2) Paragraph (5) is amended to read as follows:

“(5) “Gross estate” means: 1

“(A) For a decedent whose death occurs prior to January 1, 2008, the meaning defined in the Internal Revenue Code. 2 3

“(B) For a decedent whose death occurs on or subsequent to January 1, 2008, the meaning defined in the Internal Revenue Code, except that for the purpose of calculating District estate taxes gross estate shall be calculated as if federal estate tax law recognized a domestic partner in the same manner as a spouse.”. 4 5 6 7

(3) Paragraph “(12)” is amended to read as follows: 8

“(12) “Taxable estate” means: 9

“(A) For a decedent whose death occurs prior to January 1, 2008, the meaning defined in the Internal Revenue Code. 10 11

“(B) For a decedent whose death occurs on or subsequent to January 1, 2008, the meaning defined in the Internal Revenue Code, except that for the purpose of calculating District estate taxes taxable estate shall be calculated as if federal estate tax law recognized a domestic partner in the same manner as a spouse.” 12 13 14 15

(p) Section 47-4304 is amended as follows: 16

(1) Paragraph (d)(2) is amended by inserting after the word “spouse” the phrase “(or domestic partner)”. 17 18

(2) By inserting a new paragraph (f) to read as follows: 19

“(f) For purposes of this section, the term “domestic partnership” shall have the same 20

meaning as provided in § 32-701(4).” 1

Sec. 42. Section 6(j)(3)(L) of the District of Columbia Traffic Act, 1925, approved 2
March 3, 1925 (43 Stat 1121; D.C. Official Code § 50-2201.03(j)(3)(L)), is amended by striking 3
the phrase “§ 32-702” and inserting the phrase “§ 32-702(d)(1)” in its place. 4

Sec. 43. Fiscal impact statement. 5

The Council adopts the attached fiscal impact statement as the fiscal impact statement 6
required by section 602(c)(3) of the District of Columbia Home Rule Act, effective December 7
24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)). 8

Sec. 44. Effective date. 9

This act shall take effect following approval by the Mayor (or in the event of veto by the 10
Mayor, action by the Council to override the veto), a 60-day period of Congressional review as 11
provided in section 602(c)(2) of the District of Columbia Home Rule Act, effective December 12
24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of 13
Columbia Register. 14