

Referendum Measure

74

Passed by the Legislature and Ordered Referred by Petition:

The legislature passed Engrossed Substitute Senate Bill 6239 concerning marriage for same-sex couples, modified domestic-partnership law, and religious freedom, and voters have filed a sufficient referendum petition on this bill.

This bill would allow same-sex couples to marry, preserve domestic partnerships only for seniors, and preserve the right of clergy or religious organizations to refuse to perform, recognize, or accommodate any marriage ceremony.

Should this bill be:

Approved

Rejected



You are voting to Approve or Reject the bill passed by the Legislature

Approve - you *favor* the bill passed by the Legislature.

Reject - you *don't favor* the bill passed by the Legislature.

Votes cast by the 2012 Legislature on final passage:

Senate: Yeas, 28; Nays, 21; Absent, 0; Excused, 0

House: Yeas, 55; Nays, 43; Absent, 0; Excused, 0

The Official Ballot Title was written by the Office of the Attorney General as required by law and revised by the court. The Explanatory Statement was written by the Office of the Attorney General as required by law. The Fiscal Impact Statement was written by the Office of Financial Management as required by law. The Secretary of State is not responsible for the content of arguments or statements (WAC 434-381-180). The complete text of Engrossed Substitute Senate Bill 6239 is located at the end of this pamphlet.

Explanatory Statement

Written by the Office of the Attorney General

The Law as it Presently Exists

Washington law currently provides that marriage is a civil contract between a male and a female, who are both at least eighteen years old and otherwise capable of marrying. The law prohibits marriage if the parties to the marriage are of the same sex or are closely related, or if a party to the marriage is already married to somebody else. A marriage is void if one of the parties is under age seventeen, unless a superior court judge waives the age requirement based on a showing of necessity. A marriage entered into in another state or jurisdiction is recognized as valid unless Washington law would have prohibited the marriage if it had been formed here.

The state also currently maintains a domestic partnership registry. Two individuals of the same sex may enter into a state-registered domestic partnership if they meet certain requirements. Two individuals may also enter into a state-registered domestic partnership if at least one of them is over 62 years old. The other requirements for entering a domestic partnership are that the couple share a residence, are both at least eighteen years old, are not closely related, and neither is married or in a domestic partnership with anyone else. A legal union of two persons that was validly formed in another state or jurisdiction, and that is similar to a domestic partnership, is recognized as a domestic partnership in Washington.

The same rights, responsibilities, and obligations that state law grants or imposes on married couples and their families also apply to state-registered domestic partners. The terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family, when used in state statutes, apply equally to state-registered domestic partnerships as well as to marital relationships and married persons. Similarly, laws about dissolution and invalidation of

marriage apply equally to state-registered domestic partnerships. Gender-specific terms such as husband and wife used in any statute, rule, or other law are construed to be gender neutral, and applicable to individuals in state-registered domestic partnerships.

The Washington Law Against Discrimination prohibits discrimination on the basis of sexual orientation. This prohibition applies to employment, real estate transactions, credit transactions, insurance, and to the full enjoyment of any of the accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement.

The Effect of the Proposed Measure, if Approved

If approved, this measure would allow same-sex couples to marry. Other prohibitions on marriage, such as those based on age, being closely related, and already being married to somebody else would continue to apply. Marriage laws would apply without regard to gender. This measure specifies that gender-specific terms like husband and wife will be construed to be gender-neutral and will apply to spouses of the same sex.

This measure provides that clergy are not required to perform or recognize any marriage ceremony. No religious organization, or religiously-affiliated educational institution, would be required to provide accommodations, facilities, advantages, privileges, services, or goods related to the performance of a marriage. Clergy, religious organizations, and religiously-affiliated educational institutions would be immune from any civil claim or cause of action, including a claim or cause of action based on the Washington Law Against Discrimination, based on a refusal to perform or recognize any marriage, or to provide facilities, advantages, privileges, services, or goods related to the performance of a marriage.

State and local governments would be prohibited from basing actions relating to penalties, benefits, licenses, or contracts on the refusal of a religious organization to provide such accommodations, facilities, advantages, privileges, services, or goods. State and local governments would be prohibited from basing actions relating to penalties, benefits, or contracts on the refusal of a person associated with a religious organization to solemnize or recognize a marriage. The measure does not change or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to provide adoption, foster care, or other child-placing services.

This measure would also recognize, as valid in Washington, marriages between same-sex couples entered into in another state or jurisdiction and recognized as valid in that other state or jurisdiction, unless either party to the marriage was already married to a different person or the parties to the marriage are closely related. It would also recognize certain legal unions between two persons, other than marriages, entered into in another state or jurisdiction. This provision applies if the legal union provides substantially the same rights, benefits, and responsibilities as a marriage, but does not meet the definition of a domestic partnership in Washington. Washington law would then treat such couples as having the same rights and responsibilities as married spouses in this state, unless the relationship is otherwise prohibited by Washington law or the couple does not marry within one year of becoming permanent residents of Washington. Two individuals would not be prohibited from obtaining a marriage license in Washington on the basis that they validly entered into a legal union, other than a marriage, in another state or jurisdiction.

After June 30, 2014, state-registered domestic partnerships would be available only to couples in which one partner is at least 62 years old. The parties to existing same-sex domestic partnerships may either get married or dissolve their domestic partnership. Same-sex domestic partnerships, in which neither party is over 62 years old, will be automatically converted into a marriage as of June 30, 2014, unless the parties either get married or dissolve the domestic partnership before that date. The Secretary of State would be required to send letters to each same-sex domestic partner advising of these changes.

Fiscal Impact Statement

Written by the Office of Financial Management

Fiscal Impact through Fiscal Year 2017

Referendum 74 would enact legislation, Engrossed Substitute Senate Bill 6239, that allows same-sex couples to marry, applies marriage laws without regard to gender and specifies that laws using gender-specific terms like husband and wife include same-sex spouses. After 2014, existing domestic partnerships are converted to marriages, except for seniors. Fewer state domestic partnership filings and a corresponding increase in marriage licenses are estimated to decrease state revenue by \$81,000 and increase county revenue by \$128,000 over five fiscal years. A one-time state cost is estimated at \$15,000 for

required state mailings to those currently registered in the domestic partnership program.

General Assumptions

- Estimates are based on information provided by state agencies during the 2012 legislative session for Engrossed Substitute Senate Bill 6239 and the Washington State Department of Commerce Local Government Fiscal Note Program.
- In 2009, the Legislature passed Engrossed Second Substitute Senate Bill 5688, Engrossed House Bill 1616 and Engrossed Substitute House Bill 1445, which generally expanded the rights, responsibilities and obligations accorded state-registered same-sex and senior domestic partners to be equivalent to those of married spouses, except that a domestic partnership is not a marriage. Consequently, the conversion of existing same-sex domestic partnerships to marriages and the ability of same-sex couples to marry are estimated to have insignificant fiscal impact on state and local government revenues, costs or expenditures.
- The domestic partnership program continues only for couples where at least one of the partners is 62 years of age or older.
- Estimates are described using the state’s fiscal year of July 1 through June 30.

State and Local Government Revenue and Expenditures Estimate – Assumptions

- Because the domestic partnership program will be limited to couples where at least one of the partners is 62 years of age or older, the Secretary of State estimates a decrease of fee revenue of \$38,000 each fiscal year from fewer registrations.
- Assuming the decrease in domestic partnership filings will result in a corresponding increase in marriages, and the maximum cost of a marriage license is \$64, revenue is estimated to increase \$20,400 to the state and \$28,000 to counties each fiscal year. For each marriage license, estimates assume the state receives \$27 and the county retains \$37 of each license fee. Local revenues support the county general fund, family court, family services, records preservation fund and historical programs. State revenues support the displaced homemaker program, child abuse programs, the centennial records preservation program, the state archives and the state heritage center.

State and Local Government Cost Estimate – Assumptions

- The Secretary of State estimates a one-time cost of \$15,000 for two required mailings that includes a summary of this law to each partner who is registered in a domestic partnership.

Have questions?

Your county elections department has answers.



Your county elections department can:

- register you to vote;
- send you a replacement ballot;
- provide accessible voting assistance;
- provide additional voters’ pamphlets; and
- locate your nearest ballot drop box.

County contact information is located in the back of this pamphlet.

Argument For Referendum Measure 74

Only Marriage Provides the Security to Build A Life Together

Imagine if you couldn't marry the person you love? Parents dream of their children being happily married and settled into a lifetime, loving relationship. They don't dream of walking their son or daughter down the aisle into a domestic partnership. Marriage matters.

Vote Approve to Uphold the Freedom to Marry

The law allows caring and committed same-sex couples to be legally married. Committed same-sex couples are our neighbors, our friends and family, our co-workers. They should have the freedom to marry and build their lives together, without government interference. It's not for us to judge, or to deny them that opportunity.

Treat Everyone as We Want to Be Treated

Think of your own reasons for wanting to marry - you can imagine why same-sex couples dream of the happiness, security and responsibility of marriage. Same-sex couples may seem different, but when you talk with a committed same-sex couple, you realize they hope to marry for similar reasons as everyone else - to share and build a life together, to be there for each other, in good times and bad, in sickness and in health, and to make that special vow before family and friends to be together forever.

Vote Approve to Protect Religious Freedom

We are all God's children. This law guarantees religious freedom and won't change how each religion defines marriage. It protects the rights of clergy, churches, and religious organizations that don't perform or recognize same-sex marriages.

Rebuttal of Argument Against

Marriage is two people vowing their love and commitment together. Same-sex partners shouldn't be denied access to their loved one in emergencies because they aren't married. The American Academy of Pediatrics agrees legalizing same-sex marriage promotes healthy families and children. Washington State Psychological Association and Children's Alliance approve R-74. This law doesn't change existing anti-discrimination laws or schools. Lawsuits haven't increased in states with same-sex marriage. Liberty and pursuit of happiness are core American values.

Argument Prepared by

Kim Abel, Co-President, League of Women Voters of Washington; **Denise Klein**, CEO, Senior Services; **Chris Boerger**, Bishop, Northwest Washington Synod, Evangelical Lutheran Church; **Ed Murray**, State Senator, Born in Aberdeen; **Jamie Pedersen**, State Representative, Democrat; Born in Puyallup; **Maureen Walsh**, State Representative, Republican, Walla Walla; small business owner

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Argument Against Referendum Measure 74

Marriage is more than a commitment between two loving people. It was created to benefit the next generation. Traditional marriage promotes child well-being because kids need both a mother and a father. Extensive social science shows that children do best when raised by their married parents.

The new marriage law passed by legislators did not enact same-sex marriage - it redefined marriage for all, stripping it of its essential man/woman nature and tossing common-sense out the window. Women can now be "husbands" and men can be "wives."

Our "Everything But Marriage" Law Already Provides Gays Full Legal Equality

Washington same-sex couples already enjoy full legal equality. The new marriage legislation did not provide any new substantive legal rights for gay couples.

Redefining marriage has consequences.

God's creation of marriage as the union of one man and one woman is the foundation of society and has served us well for thousands of years. People who disagree with this new definition could find themselves facing sanctions, as has occurred elsewhere. Church groups have lost their tax exemptions. Small businesses were sued. Wedding professionals have been fined. Charities opposing gay marriage were forced to end services. Young children were taught about gay marriage in public school.

Gays and lesbians are entitled to respect and to live as they choose, but they don't have a right to redefine marriage. Being opposed to same-sex marriage doesn't mean you dislike gays and lesbians. It means you support traditional marriage. Please *reject* R-74 to *reject* redefining marriage.

Rebuttal of Argument For

Proponents of Referendum 74 focus on what same-sex couples want. But marriage isn't only about *adults' desires*; it's about what *children need*. Marriage is society's way of connecting fathers and mothers to their children. Voters gave gay couples full legal equality through the "everything but marriage law" just two years ago. Referendum 74 will provide no new legal benefits; it redefines marriage for everyone and has serious consequences for society. Please, *reject* Referendum 74.

Argument Prepared by

Joseph Backholm, President Preserve Marriage Washington; **Joe Fuiten**, Senior Pastor Cedar Park Church; **Matt Shea**, State Representative, District 4

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retirement system plan 3 as defined in RCW 41.35.010, or the public employees' retirement system plan 3 as defined in RCW 41.40.010.

(21) "State purchased health care" or "health care" means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the department of health, the basic health plan, the state health care authority, the department of labor and industries, the department of corrections, the department of veterans affairs, and local school districts.

(22) "Tribal government" means an Indian tribal government as defined in section 3(32) of the employee retirement income security act of 1974, as amended, or an agency or instrumentality of the tribal government, that has government offices principally located in this state.

NEW SECTION. Sec. 307. A new section is added to chapter 41.56 RCW to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act). Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act) is a separate employer from any school district, including the school district in which it is located.

NEW SECTION. Sec. 308. A new section is added to chapter 41.59 RCW to read as follows:

This chapter applies to any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act). Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.--- RCW (the new chapter created in section 401 of this act) is a separate employer from any school district, including the school district in which it is located.

PART IV MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 401. Sections 101 and 201 through 225 of this act constitute a new chapter in Title 28A RCW.

NEW SECTION. Sec. 402. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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Complete Text Referendum Measure 74

AN ACT Relating to providing equal protection for all families in Washington by creating equality in civil marriage and changing the domestic partnership laws, while protecting religious freedom; amending RCW 26.04.010, 26.04.020, 26.04.050, 26.04.060, 26.04.070, 26.60.010, 26.60.030, 26.60.090, and 1.12.080; adding new sections to chapter 26.04 RCW; adding a new section to chapter 26.60 RCW; adding a new section to chapter 26.33 RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 74.15 RCW; creating new sections; and providing a contingent effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 26.04.010 and 1998 c 1 s 3 are each amended to read as follows:

(1) Marriage is a civil contract between ~~((a male and a female))~~ two persons who have each attained the age of eighteen years, and who are otherwise capable.

(2) Every marriage entered into in which either ~~((the husband or the wife))~~ person has not attained the age of seventeen years is void except where this section has been waived by a superior court judge of the county in which one of the parties resides on a showing of necessity.

(3) Where necessary to implement the rights and responsibilities of spouses under the law, gender specific terms such as husband and wife used in any statute, rule, or other law must be construed to be gender neutral and applicable to spouses of the same sex.

(4) No regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization is required to solemnize or recognize any marriage. A regularly licensed or ordained minister or priest, imam, rabbi, or similar official of any religious organization shall be immune from any civil claim or cause of action based on a refusal to solemnize or recognize any marriage under this section. No state agency or local government may base a decision to penalize, withhold benefits from, or refuse to contract with any religious organization on the refusal of a person associated with such religious organization to solemnize or recognize a marriage under this section.

(5) No religious organization is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(6) A religious organization shall be immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(7) For purposes of this section:

(a) "Recognize" means to provide religious-based services that:

(i) Are delivered by a religious organization, or by an individual who is managed, supervised, or directed by a religious organization; and

(ii) Are designed for married couples or couples engaged to marry and are directly related to solemnizing, celebrating, strengthening, or promoting a marriage, such as religious counseling programs, courses, retreats, and workshops; and

(b) "Religious organization" includes, but is not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

Sec. 2. RCW 26.04.020 and 1998 c 1 s 4 are each amended to read as follows:

(1) Marriages in the following cases are prohibited:

(a) When either party thereto has a ~~((wife or husband))~~ spouse or registered domestic partner living at the time of such marriage, unless the registered domestic partner is the other party to the marriage; or

(b) When the ~~((husband and wife))~~ spouses are nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law ~~((or~~

~~((or~~ (c) When the parties are persons other than a male and a female)).

(2) It is unlawful for any ~~((man to marry his father's sister, mother's sister, daughter, sister, son's daughter, daughter's~~

~~daughter, brother's daughter or sister's daughter; it is unlawful for any woman to marry her father's brother, mother's brother, son, brother, son's son, daughter's son, brother's son or sister's son)) person to marry his or her sibling, child, grandchild, aunt, uncle, niece, or nephew.~~

(3) A marriage between two persons that is recognized as valid in another jurisdiction is valid in this state only if the marriage is not prohibited or made unlawful under subsection (1)(a)(~~(-)(+)(e);~~) or (2) of this section.

(4) A legal union, other than a marriage, between two individuals that was validly formed in another state or jurisdiction and that provides substantially the same rights, benefits, and responsibilities as a marriage, does not prohibit those same two individuals from obtaining a marriage license in Washington.

(5) No state agency or local government may base a decision to penalize, withhold benefits from, license, or refuse to contract with any religious organization based on the opposition to or refusal to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage.

(6) No religiously affiliated educational institution shall be required to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage, including a use of any campus chapel or church. A religiously affiliated educational institution shall be immune from a civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage under this subsection shall be immune from civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW.

NEW SECTION. Sec. 3. "Religious organization" as defined in this chapter must be interpreted liberally to include faith-based social service organizations involved in social services directed at the larger community.

Sec. 4. RCW 26.04.050 and 2007 c 29 s 1 are each amended to read as follows:

The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, supreme court commissioners, court of appeals commissioners, superior court commissioners, any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any ~~(church or)~~ religious ~~((denomination))~~ organization, and judges of courts of limited jurisdiction as defined in RCW 3.02.010.

Sec. 5. RCW 26.04.060 and 1975-'76 2nd ex.s. c 42 s 25 are each amended to read as follows:

A marriage solemnized before any person professing to be a minister or a priest ~~((of any)), imam, rabbi, or similar official of any religious ((denomination)) organization~~ in this state or professing to be an authorized officer thereof, is not void, nor shall the validity thereof be in any way affected on account of any want of power or authority in such person, if such marriage be consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Sec. 6. RCW 26.04.070 and Code 1881 s 2383 are each amended to read as follows:

In the solemnization of marriage no particular form is required, except that the parties thereto shall assent or declare in the presence of the minister, priest, imam, rabbi, or similar official of any religious organization, or judicial officer solemnizing the same, and in the presence of at least two attending witnesses, that they take each other to be ~~((husband and wife)) spouses.~~

NEW SECTION. Sec. 7. A new section is added to chapter 26.04 RCW to read as follows:

For purposes of this chapter, "religious organization" includes, but is not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

Sec. 8. RCW 26.60.010 and 2007 c 156 s 1 are each amended to read as follows:

Many Washingtonians are in intimate, committed, and exclusive relationships with another person to whom they are not legally married. These relationships are important to the individuals involved and their families; they also benefit the public by providing a private source of mutual support for the financial, physical, and emotional health of those individuals and their families. The public has an interest in providing a legal framework for such mutually supportive relationships, whether the partners are of the same or different sexes, and irrespective of their sexual orientation.

~~((The legislature finds that same sex couples, because they cannot marry in this state, do not automatically have the same access that married couples have to certain rights and benefits, such as those associated with hospital visitation, health care decision-making, organ donation decisions, and other issues related to illness, incapacity, and death. Although many of these rights and benefits may be secured by private agreement, doing so often is costly and complex.))~~

The legislature ~~((also))~~ finds that the public interest would be served by extending rights and benefits to ~~((different sex))~~ couples in which either or both of the partners ~~((is))~~ are at least sixty-two years of age. While these couples are entitled to marry under the state's marriage statutes, some social security and pension laws nevertheless make it impractical for these couples to marry. For this reason, chapter 156, Laws of 2007 specifically allows couples to enter into a state registered domestic partnership if one of the persons is at least sixty-two years of age, the age at which many people choose to retire and are eligible to begin collecting social security and pension benefits.

The rights granted to state registered domestic partners in chapter 156, Laws of 2007 will further Washington's interest in promoting family relationships and protecting family members during life crises. Chapter 156, Laws of 2007 does not affect marriage or any other ways in which legal rights and responsibilities between two adults may be created, recognized, or given effect in Washington.

Sec. 9. RCW 26.60.030 and 2007 c 156 s 4 are each amended to read as follows:

To enter into a state registered domestic partnership the two persons involved must meet the following requirements:

- (1) Both persons share a common residence;
- (2) Both persons are at least eighteen years of age and at least one of the persons is sixty-two years of age or older;
- (3) Neither person is married to someone other than the party to the domestic partnership and neither person is in a state registered domestic partnership with another person;
- (4) Both persons are capable of consenting to the domestic partnership; and
- (5) Both of the following are true:

(a) The persons are not nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law; and

(b) Neither person is a sibling, child, grandchild, aunt, uncle, niece, or nephew to the other person ~~((; and~~

(6) Either (a) both persons are members of the same sex; or (b) at least one of the persons is sixty-two years of age or older).

NEW SECTION. Sec. 10. A new section is added to chapter 26.60 RCW to read as follows:

(1) Partners in a state registered domestic partnership may apply and receive a marriage license and have such marriage solemnized pursuant to chapter 26.04 RCW, so long as the parties are otherwise eligible to marry, and the parties to the marriage are the same as the parties to the state registered domestic partnership.

(2) A state registered domestic partnership is dissolved by operation of law by any marriage of the same parties to each other, as of the date of the marriage stated in the certificate.

(3)(a) Except as provided in (b) of this subsection, any state registered domestic partnership in which the parties are the same sex, and neither party is sixty-two years of age or older, that has not been dissolved or converted into a marriage by the parties by June 30, 2014, is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(b) If the parties to a state registered domestic partnership have proceedings for dissolution, annulment, or legal separation pending as of June 30, 2014, the parties' state registered domestic partnership is not automatically merged into a marriage and the dissolution, annulment, or legal separation of the state registered domestic partnership is governed by the provisions of the statutes applicable to state registered domestic partnerships in effect before June 30, 2014. If such proceedings are finalized without dissolution, annulment, or legal separation, the state registered domestic partnership is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(4) For purposes of determining the legal rights and responsibilities involving individuals who had previously had a state registered domestic partnership and have been issued a marriage license or are deemed married under the provisions of this section, the date of the original state registered domestic partnership is the legal date of the marriage. Nothing in this subsection prohibits a different date from being included on the marriage license.

NEW SECTION. Sec. 11. A new section is added to chapter 26.04 RCW to read as follows:

If two persons in Washington have a legal union, other than a marriage, that:

- (1) Was validly formed in another state or jurisdiction;
- (2) Provides substantially the same rights, benefits, and responsibilities as a marriage; and
- (3) Does not meet the definition of domestic partnership in RCW 26.60.030, then they shall be treated as having the same rights and responsibilities as married spouses in this state, unless:
 - (a) Such relationship is prohibited by RCW 26.04.020 (1)(a) or (2); or
 - (b) They become permanent residents of Washington state and do not enter into a marriage within one year after becoming permanent residents.

Sec. 12. RCW 26.60.090 and 2011 c 9 s 1 are each amended to read as follows:

A legal union, other than a marriage, of two persons (~~of the same sex~~) that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership under this chapter, shall be recognized as a valid domestic partnership in this state and shall be treated the same as a domestic partnership registered in this state regardless of whether it bears the name domestic partnership.

Sec. 13. RCW 1.12.080 and 2011 c 9 s 2 are each amended to read as follows:

For the purposes of this code and any legislation hereafter enacted by the legislature or by the people, with the exception of chapter 26.04 RCW, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, unless the legislation expressly states otherwise and to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009 and this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships and spouses of the same sex.

NEW SECTION. Sec. 14. A new section is added to chapter 26.33 RCW to read as follows:

Nothing contained in chapter..., Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 74.13 RCW.

NEW SECTION. Sec. 15. A new section is added to chapter 74.13 RCW to read as follows:

Nothing contained in chapter..., Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 26.33 RCW.

NEW SECTION. Sec. 16. A new section is added to chapter 74.15 RCW to read as follows:

Nothing contained in chapter..., Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.13 or 26.33 RCW.

NEW SECTION. Sec. 17. (1) Within sixty days after the effective date of this section, the secretary of state shall send a letter to the mailing address on file of each same-sex domestic partner registered under chapter 26.60 RCW notifying the person that Washington's law on the rights and responsibilities of state registered domestic partners will change in relation to certain same-sex registered domestic partners.

(2) The notice must provide a brief summary of the new law and must clearly state that provisions related to certain same-sex registered domestic partnerships will change as of the effective dates of this act, and that those same-sex registered domestic partnerships that are not dissolved prior to June 30, 2014, will be converted to marriage as an act of law.

(3) The secretary of state shall send a second similar notice to the mailing address on file of each domestic partner registered under chapter 26.60 RCW by May 1, 2014.

NEW SECTION. Sec. 18. Sections 8 and 9 of this act take effect June 30, 2014, but only if all other provisions of this act are implemented.

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