



City of Bellevue

# Domestic Partner Code Amendments

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## **Staff recommendation to City Council**

Amend Chapter 3.79 of the Bellevue City Code to:

- (1) align the definition of “domestic partner” with State law
- (2) establish uniform requirements for declarations of marriage and domestic partnerships

# AGENDA



Brief History



Other Local Jurisdictions



Implementation Plan of New Definition



Direction from City Council



# Proposed Bellevue City Code Change

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- Planning for Health Benefits Open Enrollment in the Fall
- Notification and negotiations with union partners before Health Benefits Open Enrollment

# 2007 - State of Washington Domestic Partnership

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- Domestic partnership registry created
- Extends powers and rights granted to spouses to domestic partners, such as health care visitation and health care consent

# 2007 - State of Washington Eligibility Requirements

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- Share a common residence;
- Both at least eighteen years of age;
- Neither partner is married or in an existing state registered domestic partnership;
- Both are capable of consenting to the domestic partnership;
- Not of any relation to each other;
- Neither partner is a sibling, child, grandchild, aunt, uncle, niece or nephew to the other;
- Be members of the same sex or one person is at least 62 years of age

# 2007 - City of Bellevue Establishes Domestic Partnership

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- Eligibility requirements:
  - Not in a marriage legally recognized by the State of Washington;
  - At least 18 years old;
  - Not related by blood to a degree of closeness that would prohibit legal marriage in Washington State; and
  - Jointly responsible for each other's common welfare and shared financial obligations.

# 2007 - City's Eligibility for Health Care Benefits for Domestic Partners

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- To be eligible for medical, dental, vision, life and accident coverage, the employee assistance program and employee's access to leave benefits and continuation of benefit rights upon termination
- A signed declaration form establishes a domestic partnership, with at least three of a list of documents supporting their domestic partnership upon request



# City's Declaration Requires Three of These Supporting Documents:

- Joint mortgage or lease
- Domestic partner as beneficiary for life insurance
- Beneficiary for retirement contract
- Primary beneficiary in employee's will or of employee in domestic partner's will
- Durable property and health care powers of attorney
- Joint ownership of motor vehicle
- Joint checking account
- Joint credit account
- Washington State registration of domestic partnership

*Documents may change over time, and should the employee not notify the city of a change in eligibility, benefits would inappropriately continue.*

# 2012 - State Legalizes Same-Sex Marriage

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- Same-sex couples could legally marry in Washington State.
- All state-registered domestic partnerships where neither party was at least age 62 were converted to marriage as of June 30, 2014.
- State narrowed eligibility for registered domestic partner to require at least one person is age 62.

# Objectives: Proposed City Code Change

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Amending the City Code's definition of "domestic partner" will:

- (1) Align the definition with State law and
- (2) Establish uniform requirements and documentation for declarations of marriage and domestic partnerships

# Proposed City Code Changes Definition and Declaration Requirements

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Changes:

Domestic Partner means an employee's state registered domestic partner under Chapter 26.60 RCW.

Declaration of domestic partnership by the employee and domestic partner will be that they are legally registered by the State of Washington as domestic partners.

# Other Local Jurisdictions

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The following local jurisdictions align their definition of domestic partner with State law:

- Redmond
- Bothell
- Issaquah
- Renton
- Kent
- Auburn
- Tacoma

# Implementation of New Definition

The new domestic partner definition will be applied in a phased approach from 2021 -2023:

- January 1, 2021: all new domestic partnerships must be registered in the State of Washington
- Domestic partnerships existing as of 12/31/20 will be “grandfathered” for purposes of benefits eligibility for three years (2021, 2022, 2023)
- January 1, 2024: only State registered domestic partners (and their dependents) of employees will be eligible for City-provided benefits



## **Current Domestic Partnerships**

- 34 employees currently have domestic partnerships
- The phased in implementation for current domestic partners will allow sufficient time for employees to plan for the future



## **Direction Needed from Council**

Amend Chapter 3.79 of the Bellevue City Code to:

- (1) align the definition of “domestic partner” with the State law and
- (2) establish uniform requirements for declarations of marriage and domestic partnerships.