

**AN ACT**

*Codification  
District of  
Columbia  
Official Code*

**2001 Edition**

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Supp.**

**West Group  
Publisher**

**IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

To amend the District of Columbia Official Code to grant domestic partners similar rights and responsibilities currently held by spousal couples in the areas of spousal immunity, inheritance, surviving spouses and children, spousal support, and public assistance.

**BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA**, That this act may be cited as the "Domestic Partnership Equality Amendment Act of 2006".

Sec. 2. Chapter 3 of Title 14 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "Husband and wife" and inserting the phrase "Spouse or domestic partner" in its place.

(b) Section 14-306 is amended to read as follows:

"§ 14-306. Spouse or domestic partner.

**Amend  
§ 14-306**

"(a) In civil and criminal proceedings, a spouse or domestic partner is competent but not compellable to testify for or against their spouse or domestic partner.

"(b) In civil and criminal proceedings, a spouse or domestic partner is not competent to testify as to any confidential communications made by one to the other during the marriage or the domestic partnership.

"(c) For the purposes of this section, the term:

"(1) "Domestic partner" shall have the same meaning as provided in § 32-701(3).

"(2) "Domestic partnership" shall have the same meaning as provided in § 32-701(4).".

(c) Section 14-309(3) is amended to read as follows:

**Amend  
§ 14-309**

"(3)(A) communication made to him, in his professional capacity, by either spouse or domestic partner, in connection with an effort to reconcile estranged spouses or domestic partners, without the consent of the spouse or domestic partner making the communication.

"(B) for the purposes of this paragraph, the term "domestic partner" shall

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have the same meaning as provided in § 32-701(3).”.

Sec. 3. Section 15-502 of the District of Columbia Official Code is amended to read as follows:

“§ 15-502. Mortgage or other instrument affecting exempt property.

Amend  
§ 15-502

“(a) A mortgage, deed of trust, assignment for the benefit of creditors, or bill of sale upon exempted articles is not binding or valid unless it is signed by the spouse or domestic partner of a debtor who is living with his or her spouse or domestic partner.

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

Sec. 4. Title 16 of the District of Columbia Official Code is amended as follows:

(a) Section 16-571 is amended to add a new paragraph (4) to read as follows:

Amend  
§ 16-571

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

(b) Section 16-577 is amended by striking the phrase “a person’s spouse, or former spouse, or children,” and inserting the phrase “a person’s spouse or former spouse, domestic partner or former domestic partner, or children,” in its place.

Amend  
§ 16-577

(c) Section 16-901 is amended to add new paragraphs (1A) and (1B) to read as follows:  
“(1A) “Domestic partner” shall have the same meaning as provided in § 32-701(3).

Amend  
§ 16-901

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

(d) Section 16-910 is amended as follows:

Amend  
§ 16-910

(1) The lead-in language is amended by striking the phrase “or divorce,” and inserting the phrase “or divorce, or upon the termination of a domestic partnership pursuant to § 32-702 and the filing of a petition for relief under this section,” in its place.

(2) Subsection (a) is amended by striking the word “marriage” both times it appears and inserting the phrase “marriage or domestic partnership” in its place.

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

(A) The lead-in language is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

(B) Paragraph (1) is amended by striking the phrase “marriage;” and inserting the phrase “marriage or domestic partnership;” in its place.

(C) Paragraph (5) is amended by striking the word “marriage” and inserting the phrase “marriage, a prior domestic partnership,” in its place.

(D) Paragraph (9) is amended by striking the word “marriage” and inserting the phrase “marriage, the domestic partnership,” in its place.

(e) Section 16-911(a) is amended as follows:

Amend  
§ 16-911

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(1) The lead-in language is amended to read as follows:

“(a) During the pendency of an action for divorce, the termination of a domestic partnership pursuant to § 32-702, where one of the domestic partners has filed a petition for relief under this section, or an action by a spouse to declare the marriage null and void, where the nullity is denied by the other spouse, the court may:”.

(2) Paragraph (1) is amended as follows:

(A) Strike the phrase “husband or wife” each time it appears and insert the phrase “spouse or domestic partner” in its place.

(B) Strike the word “spouse” each time it appears and insert the phrase “spouse or domestic partner” in its place.

(3) Paragraph (2) is amended by striking the word “spouse’s” and inserting the phrase “spouse or domestic partner’s” in its place

(4) Paragraph (3) is amended by striking the word “spouse” and inserting the phrase “spouse or domestic partner” in its place.

(f) Section 16-913 is amended as follows:

(1) Subsection (a) is amended by striking the phrase “divorce or legal separation is granted,” and inserting the phrase “divorce or legal separation is granted, or when a termination of a domestic partnership becomes effective under § 32-702 and one partner has filed a petition for relief under this section,” in its place.

Amend  
§ 16-913

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

(A) Paragraph (3) is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

(B) Paragraph (4) is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

(C) Paragraph (9)(B) is amended by striking the phrase “both marital or non-marital” and inserting the phrase “both those that are the property of the marriage or domestic partnership and those that are not” in its place.

(g) Section 16-916 is amended as follows:

Amend  
§ 16-916

(1) Subsection (a) is amended to read as follows:

“(a) Whenever a spouse or domestic partner shall fail or refuse to maintain his or her needy spouse, domestic partner, minor children, or both, although able to do so, or whenever any parent shall fail or refuse to maintain his or her children by a marriage since dissolved, although able to do so, the court, upon proper application and upon a showing of genuine need of a spouse or domestic partner, may decree, pendente lite and permanently, that such spouse or domestic partner shall pay reasonable sums periodically for the support of such needy spouse or domestic partner and of the children, or such children, as the case may be, and the court may decree that he or she pay suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.”.

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

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“(b) Whenever a former spouse or domestic partner has obtained a foreign ex parte divorce or termination of the domestic partnership, the court thereafter, on application of the other former spouse or domestic partner and with personal service of process upon such former spouse or domestic partner in the District of Columbia, may decree that he or she shall pay him or her reasonable sums periodically for his or her maintenance and for suit money, including counsel fees, pendente lite and permanently, to enable plaintiff to conduct the case.”.

(h) Section 16-2701 is amended to read as follows:

“(a) When, by an injury done or happening within the limits of the District, the death of a person is caused by the wrongful act, neglect, or default of a person or corporation, and the act, neglect, or default is such as will, if death does not ensue, entitle the person injured, or if the person injured is married or domestic partnered, entitle the spouse or domestic partner, either separately or by joining with the injured person, to maintain an action and recover damages, the person who or corporation that is liable if death does not ensue is liable to an action for damages for the death, notwithstanding the death of the person injured, even though the death is caused under circumstances that constitute a felony.

Amend  
§ 16-2701

“(b) The damages shall be assessed with reference to the injury resulting from the act, neglect, or default causing the death, to the spouse or domestic partner and the next of kin of the deceased person; and shall include the reasonable expenses of last illness and burial. Where there is a surviving spouse or domestic partner, the jury shall allocate the portion of its verdict payable to the spouse or domestic partner and next of kin, respectively, according to the finding of damage to the spouse or domestic partner and next of kin. If, in a particular case, the verdict is deemed excessive, the trial judge or the appellate court, on appeal of the cause, may order a reduction of the verdict. An action may not be maintained pursuant to this chapter if the party injured by the wrongful act, neglect, or default has recovered damages therefor during his life.

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

Sec. 5. Title 19 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase “Rights of Surviving Spouse and Children” and inserting the phrase “Rights of Surviving Spouse or Domestic Partner and Children” in its place.

(b) The table of contents for Chapter 1 is amended by striking the phrase “Rights of Surviving Spouse and Children” and inserting the phrase “Rights of Surviving Spouse or Domestic Partner, and Children” in its place.

(c) Section 19-101.02 is amended as follows

Amend  
§ 19-101.02

(1) Strike the phrase “surviving spouse” both times it appears and insert the phrase “surviving spouse or surviving domestic partner” in its place.

(2) Strike the “surviving spouse or surviving minor” and insert the phrase “surviving spouse, surviving domestic partner, or surviving minor” in its place.

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(d) Section 19-101.03 is amended to read as follows:

“§ 19-101.03. Exempt property.

“In addition to the homestead allowance, the decedent's surviving spouse or surviving domestic partner is entitled from the estate to a value, not exceeding \$10,000 in excess of any security interests therein, in household furniture, automobiles, furnishings, appliances, and personal effects. If there is no surviving spouse or surviving domestic partner, the decedent's surviving children are entitled jointly to the same value. If encumbered chattels are selected and the value in excess of security interests, plus that of other exempt property, is less than \$10,000, or if there is not \$10,000 worth of exempt property in the estate, the spouse, domestic partner, or children are entitled to other assets of the estate, if any, except for real property, to the extent necessary to make up the \$10,000 value. Rights to exempt property have priority over all claims against the estate, except the homestead allowance, the family allowance, and as provided in section 20-906. These rights are in addition to any benefit or share passing to the surviving spouse, surviving domestic partner, or surviving children by the decedent's will, unless otherwise provided by intestate succession or by way of elective share.”.

Amend  
§ 19-101.03

(e) Section 19-101.04 is amended to read as follows:

“§ 19-101.04. Family allowance.

“(a) In addition to the right to homestead allowance and exempt property, the decedent's surviving spouse or surviving domestic partner, and minor children whom the decedent was obligated to support and children who were in fact being supported by the decedent are entitled to a reasonable allowance in money out of the estate for their maintenance during the period of administration. It is payable to the surviving spouse or surviving domestic partner, if living, for the use of the surviving spouse or surviving domestic partner and the decedent's surviving minor and dependent children; otherwise to the children, or persons having their care and custody. If a minor child or dependent child is not living with the surviving spouse or surviving domestic partner, the allowance may be made partially to the child or his or her guardian, or other person having the child's care and custody, and partially to the spouse or domestic partner, as their needs may appear. The family allowance is exempt from and has priority over all claims, except the homestead allowance, and as provided in section 20-906.

Amend  
§ 19-101.04

“(b) The family allowance is not chargeable against any benefit or share passing to the surviving spouse, surviving domestic partner, or children by the will of the decedent, unless otherwise provided, by intestate succession, or by way of elective share. The death of any person entitled to family allowance terminates the right to allowances not yet paid.”.

(f) Section 19-101.05 is amended to read as follows:

“§ 19-101.05. Source, determination, and documentation; equitable apportionment when minor children are not in custody of the surviving spouse or surviving domestic partner.

Amend  
§ 19-101.05

“(a) If the estate is otherwise sufficient, property specifically devised may not be used to satisfy rights to homestead allowance or exempt property. Subject to this restriction, the surviving spouse, surviving domestic partner, guardians of minor children, or children who are

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adults may select property of the estate as homestead allowance and exempt property. The personal representative may make those selections if the surviving spouse, the surviving domestic partner, the children, or the guardians of the minor children are unable or fail to do so within a reasonable time, or there is no guardian of a minor child. The personal representative may execute an instrument or deed of distribution to establish the ownership of property taken as homestead allowance or exempt property. The personal representative may disburse the family allowance in a lump sum not exceeding \$15,000 in cash or in personality at its fair value as the surviving spouse or surviving domestic partner may elect. The personal representative or an interested person aggrieved by any selection, determination, payment, proposed payment, or failure to act under this section may petition the court for appropriate relief, which may include a family allowance other than that which the personal representative determined or could have determined.

“(b) If there are minor or other dependent children of the decedent who are not in the custody of the surviving spouse or surviving domestic partner, the personal representative shall equitably apportion the family allowance under this section between the surviving spouse or surviving domestic partner, minor and dependent children, and other children of the decedent.”.

(g) Section 19-112 is amended to read as follows:

“§ 19-112. Devise or bequest to a spouse or domestic partner.

Amend  
§ 19-112

“Subject to section 19-114, and unless it is otherwise expressed in the will, a devise of real estate or an interest therein, or a bequest of personal estate or an interest therein, to the surviving spouse or surviving domestic partner, bars his or her share in the decedent's estate.”.

(h) Section 19-113 is amended as follows:

Amend  
§ 19-113

(1) Subsection (a) is amended to read as follows:

“(a) Subject to section 19-114, a surviving spouse or surviving domestic partner is, by a devise or bequest specified in section 19-112, barred on any statutory rights or interest he has in the real and personal estate of the deceased spouse or deceased domestic partner unless, within 6 months after the will of the deceased spouse or deceased domestic partner is admitted to probate, he files in the Probate Court a written renunciation to the following effect: "I, A B, surviving spouse or surviving domestic partner of \_\_\_\_\_ late of \_\_\_\_\_, deceased, renounce and quit all claim to any devise or bequest made to me by the last will of my spouse or domestic partner exhibited and proved according to law; and I elect to take in lieu thereof my legal share of the real and personal estate of my deceased spouse or deceased domestic partner.”.

(2) Subsections (c), (d), (e), and (f) are amended to read as follows:

“(c) If, during the period of 6 months specified by subsection (a) of this section, a suit is instituted to construe the will of the deceased spouse or deceased domestic partner, the period of 6 months for the filing of the renunciation or election commences to run from the date when the suit is finally determined. A renunciation or election may be made in behalf of a spouse or domestic partner unable to act for himself by reason of infancy, incompetency, or inability to manage his property, by the guardian or other fiduciary acting for the spouse or domestic partner

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when so authorized by the court having jurisdiction of the person of the spouse or domestic partner. The time for renunciation by a spouse or domestic partner may be extended before its expiration by an order of the Probate Court for successive periods of not more than 6 months each upon petition showing reasonable cause and on notice given to the personal representative and to the other persons herein referred to in such manner as the Probate Court directs.

“(d) Where a decedent has not made a devise or bequest to the spouse or domestic partner, or nothing passes by a purported devise or bequest, the surviving spouse or surviving domestic partner is entitled to his legal share of the real and personal estate of the deceased spouse or deceased domestic partner without filing a written renunciation.

“(e) The legal share of a surviving spouse or surviving domestic partner under subsection (a) or (d) of this section is such share or interest in the real or personal property of the deceased spouse or deceased domestic partner as he would have taken if the deceased spouse or deceased domestic partner had died intestate, not to exceed one-half of the net estate bequeathed and devised by the will.

“(f) A valid antenuptial or postnuptial agreement entered into by the spouses or domestic partners determines the rights of the surviving spouse or the surviving domestic partner in the real and personal estate of the deceased spouse or deceased domestic partner and the administration thereof, but a spouse or domestic partner may accept the benefits of a devise or bequest made to him by the deceased spouse or deceased domestic partner.”.

(i) Section 19-114 is amended to read as follows:

“§ 19-114. Right of surviving spouse or surviving domestic partner if there is no renunciation.

Amend  
§ 19-114

“A surviving spouse or surviving domestic partner who does not renounce as provided by section 19-113 is entitled to the benefit of all provisions in his favor in the will of the deceased spouse or deceased domestic partner and shall share, in accordance with sections 19-301 and 19-302 in any estate of the deceased spouse or deceased domestic partner undisposed of by the will.”.

(j) Section 19-115 is amended to read as follows:

“§ 19-115. Definitions.

Amend  
§ 19-115

For the purposes of this chapter, the term:

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

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

“(3) “Probate Court” means the Superior Court of the District of Columbia.”.

(k) The table of contents for Chapter 3 is amended by adding the following phrase at the end:

“19-322. Definitions.”.

(l) Section 19-301 is amended by striking the phrase “surviving spouse,” and inserting

Amend  
§ 19-301

## ENROLLED ORIGINAL

the phrase “surviving spouse or surviving domestic partner,” in its place.

(m) Section 19-302 is amended as follows:

Amend  
§ 19-302

(1) The section heading is amended by striking the word “spouse” and inserting the phrase “spouse or domestic partner” in its place.

(2) The lead-in language is amended by striking the phrase “surviving spouse” and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(3) Paragraph (2) is amended by striking the phrase “surviving spouse” both times it appears and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(4) Paragraph (4) is amended by striking the phrase “surviving spouse” both times it appears and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(5) Paragraph (5) is amended by striking the phrase “surviving spouse” and inserting the phrase “surviving spouse or surviving domestic partner.”.

(n) Section 19-305 is amended as follows:

Amend  
§ 19-305

(1) The section heading is amended by striking the phrase “surviving spouse” and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(2) The text is amended by striking the phrase “surviving spouse” both times it appears and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(o) A new section 19-322 is added to read as follows:

Amend  
§ 19-322

“§ 19-322. Definitions.

For the purposes of this chapter, the term “domestic partner” shall have the same meaning as provided in § 32-701(3).”.

(p) Section 19-602.01 is amended to add a new paragraph (3A) to read as follows:

Amend  
§ 19-602.01

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

(q) Section 19-602.11(b) is amended by striking the phrase “As between parties married to each other,” and inserting the phrase “As between parties either married to or domestic partners of each other,” in its place.

(r) Section 19-602.12(a) is by striking the phrase “surviving spouse” each time it appears and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(s) Section 19-602.15(a) is amended by striking the phrase “married to each other” and inserting the phrase “married to or domestic partners of each other” in its place.

(t) Section 19-701 is amended to read as follows:

Amend  
§ 19-602.12

“§ 19-701. Escheatment generally.

Amend  
§ 19-701

“(a) Where there is no surviving spouse, surviving domestic partner, or relations of the intestate within the fifth degree, reckoned by counting down from the common ancestor to the more remote, the surplus of real and personal property escheats to the District of Columbia to be used by the Mayor of the District of Columbia for the benefit of the poor.

## ENROLLED ORIGINAL

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

(u) Section 19-904 is amended as follows:

(1) Designate the existing language as subsection (a).

(2) The newly designated subsection (a) is amended as follows:

(A) Paragraph (1) is amended as follows:

(i) Subparagraph (C) is amended to read as follows:

“(C) A spouse or domestic partner's election under section 19-113;”.

(ii) Subparagraph (D) is amend to read as follows:

“(D) A similar arrangement arising out of a prospective, existing, or previous marital relationship or domestic partnership relationship between the parties;”.

(B) Paragraph (6) is amended to read as follows:

“(6) A nonvested property interest in or a power of appointment with respect to a trust or other property arrangement forming part of a pension, profit- sharing, stock bonus, health, disability, death benefit, income deferral, or other current or deferred benefit plan for one or more employees, independent contractors, or their beneficiaries, spouses, or domestic partners, to which contributions are made for the purpose of distributing to or for the benefit of the participants or their beneficiaries, spouses, or domestic partners, the property, income, or principal in the trust or other property arrangement, except a nonvested property interest or a power of appointment that is created by an election of a participant or a beneficiary, spouse, or domestic partner;”.

(3) A new subsection (b) is added to read as follows:

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

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

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

Sec. 6. Section 20-303 of the District of Columbia Official Code is amended as follows:

(1) Subsection (a)(1)(B) is amended to read as follows:

“(B) the surviving spouse, domestic partner, or children of an intestate decedent or the surviving spouse or domestic partner of a testate decedent;”.

(2) Subsection (b)(6) is amended by striking the phrase “surviving spouse” and inserting the phrase “surviving spouse or surviving domestic partner” in its place.

(3) A new subsection (e) is added to read as follows:

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

Amend  
§ 19-904

Amend  
§ 20-303

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Sec. 7. Title 21 of the District of Columbia Official Code is amended as follows:

(a) Section 21-2011 is amended by adding new paragraphs (5A) and (5B) to read as follows:

“(5A) “Domestic partner” shall have the same meaning as provided in § 32-701(3).

Amend  
§ 22-2011

“(5B) “Domestic partnership” shall have the same meaning as provided in § 32-701(4).”.

(b) Section 21-2043(c)(1) is amended by striking the word “spouse” each time it appears and inserting the phrase “spouse or domestic partner” in its place.

Amend  
§ 21-2043

(c) Section 21-2065(e)(3) is amended by striking the phrase “blood or marriage” and inserting the phrase “blood, marriage, or domestic partnership” in its place.

(d) Section 21-2068 is amended as follows:

(1) The lead-in language is amended by striking the phrase “the spouse,” and inserting the phrase “the spouse, domestic partner,” in its place.

Amend  
§ 21-2065

(2) Paragraph (3) is amended by striking the phrase “blood or marriage” and inserting the phrase “blood, marriage, or domestic partnership” in its place.

Amend  
§ 21-2068

(e) Section 21-2113(1) is amended as follows:

(1) Designate the existing language as subsection (a).

Amend  
§ 21-2113

(2) The newly designated subsection (a)(1) is amended by striking the phrase “principal’s spouse,” and inserting the phrase “principal’s spouse, domestic partner,” in its place.

(3) A new subsection (b) is added to read as follows:

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

Sec. 8. 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 2 (D.C. Official Code § 46-501) is amended to read as follows:

“Sec. 2. Definitions.

Amend  
§ 46-501

“For the purposes of this act, the term:

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

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

“(3) “Premarital agreement” means an agreement between prospective spouses or prospective domestic partners made in contemplation of marriage or domestic partnership and to be effective upon marriage or domestic partnership.

“(4) “Property” means an interest, present or future, legal or equitable, vested or contingent, in real or personal property, including income and earnings.”.

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(b) Section 4(a) (D.C. Official Code § 46-503(a)) is amended as follows:

(1) Paragraph (3) is amended by striking the phrase “annulment,” and inserting the phrase “annulment, termination of a domestic partnership under section 3 of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702),” in its place.

Amend  
§ 46-503

(2) Paragraph (4) is amended by striking the phrase “spousal support” and inserting the phrase “spousal or domestic partner support” in its place.

(c) Section 5 (D.C. Official Code § 46-504) is amended to read as follows:

“Sec. 5. Effect of marriage or domestic partnership.

Amend  
§ 46-504

“A premarital agreement becomes effective upon marriage or the registration of a domestic partnership under section 3 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) Section 6 (D.C. Official Code § 46-505) is amended by striking the phrase “After marriage,” and inserting the phrase “After marriage or the registration of a domestic partnership under section 3 of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702),” in its place.

Amend  
§ 46-505

(e) Section 7(b) (D.C. Official Code § 46-506(b)) is amended to read as follows:

“(b) If a provision of a premarital agreement modifies or eliminates spousal or domestic partner support and that modification or elimination causes one party to the agreement to be eligible for support under a program of public assistance at the time of separation, marital dissolution, or termination of a domestic partnership under section 3 of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-702), a court, notwithstanding the terms of the agreement, may require the other party to provide support to the extent necessary to avoid that eligibility.”.

Amend  
§ 46-506

(f) Section 8 (D.C. Official Code § 46-507) is amended as follows:

(1) The section heading is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

Amend  
§ 46-507

(2) The text is amended by striking the word “marriage” both times it appears and inserting the phrase “marriage or domestic partnership” in its place.

(g) Section 9 (D.C. Official Code § 46-508) is amended by striking the word “marriage” and inserting the phrase “marriage or domestic partnership” in its place.

Amend  
§ 46-508

Sec. 9. Fiscal impact statement.

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

Sec. 10. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

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Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia