

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: November 2, 2009

SUBJECT: Fiscal Impact Statement – “Religious Freedom and Civil Marriage Equality Amendment Act of 2009”

REFERENCE: Bill 18-482, As Introduced

Conclusion

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend D.C. Official Code (§ 46-401 *passim*) by adding both a new section entitled Equal Access to Marriage which would permit same-sex couples to marry in the District of Columbia, and a new subsection that states that no priest, minister, imam, or rabbi of any religious denomination and no official of any nonprofit religious organization is required to perform marriages and that no religious organization is required to provide services, accommodations, facilities or goods for a marriage ceremony. The proposed legislation also would amend Section 3 of the Health Care Benefits Expansion Act of 1992¹ to discontinue the registration of new domestic partnerships as of January 1, 2011; to allow any two persons in a valid domestic partnership to apply for and receive a marriage license at no cost²; and to dissolve domestic partnerships as of the date on the marriage certificate.

¹ Approved June 11, 1992 (D.C. Law 9-114, D.C. Official Code § 32-702).

² Provided that the parties are eligible to marry pursuant to D.C. Official Code § 46-401 *et seq.*

Financial Plan Impact

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the provisions of the proposed legislation. Allowing couples of the same sex to marry and giving religious organizations the right to decline to perform certain marriage ceremonies would have no cost for the District of Columbia. In addition, discontinuing domestic partnerships and allowing domestic partners to receive a marriage license at no cost would also have no fiscal impact, as the couples had previously paid the exact same fee of \$45 when they entered into the domestic partnership.³ Lastly, under current law health benefits are already offered to domestic partners and dependent children of domestic partners of District of Columbia government employees. Thus the D.C. Government would not incur any additional health care related costs if the domestic partners were to become legally married.

³ Under current law, the cost to apply for and receive a certificate of domestic partnership is \$45. This is the same cost of applying for and receiving a marriage certificate.