



CRS Report for Congress: Same-Sex Marriages: Legal Issues: August 18, 2010 - RL31994

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By Alison M. Smith

BiblioGov. Paperback. Book Condition: New. This item is printed on demand. Paperback. 36 pages. Dimensions: 9.7in. x 7.4in. x 0.1in. The recognition of same-sex marriages generates debate on both the federal and state levels. State legislators in Vermont and New Hampshire have legalized same-sex marriages. At the same time, federal and state courts are beginning to address the validity of statutory and constitutional provisions limiting marriage to heterosexual couples. State courts in New Jersey, Massachusetts, California, Connecticut, and Iowa have held that denying gay and lesbian couples the right to marry violates their state constitution. Some state courts have also found that domestic partnership/civil union laws are not the constitutional equivalent of civil marriage. These variations raise questions concerning the validity of such unions outside the contracted jurisdiction and have bearing on the distribution of federal benefits. Questions regarding same-sex marriages figure prominently in California. After the state supreme courts decision finding that denying same-sex couples the right to marry violated the state constitution, voters approved a constitutional amendment (Proposition 8) limiting the validity and recognition of marriages to heterosexual couples. Subsequent court challenges ensued. In *Strauss v. Horton* (207 P. 3d 48 (CA 2009)), the California Supreme Court found that...



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