

Mayor Siddiqui moved to refer the Ordinance as amended to the full City Council with a favorable recommendation.

Yea: Carlone, Mallon, McGovern, Siddiqui, Sobrinho-Wheeler, Zondervan

Present: Toomey

Absent: Nolan, Simmons

Councillor Carlone moved to adjourn.

Yea: Carlone, Mallon, McGovern, Siddiqui, Sobrinho-Wheeler, Toomey, Zondervan

Absent: Nolan, Simmons

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to a response to Policy Order No. O-8 of July 27, 2020, regarding a review of the proposed amendments to Chapter 2.119 of the Municipal Code - the Domestic Partnership Ordinance.

2. A communication was received from Alexander Chen, Founding Director, Harvard Law School LGBTQ+ Advocacy Clinic regarding amendments to the Domestic Partnership Ordinance.

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4. A communication was received from Alexander Chen, Founding Director, Harvard Law School LGBTQ+ Advocacy Clinic regarding amendments to the Domestic Partnership Ordinance.

5. That the Domestic Partnership Ordinance of the City of Cambridge be amended according to recommendations from the Ordinance Committee.

Proposed Order Mar 8, 2021

MAYOR SIDDIQUI

COUNCILLOR ZONDERVAN

COUNCILLOR MCGOVERN

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR CARLONE

VICE MAYOR MALLON

WHEREAS: The Ordinance Committee met on Jan 20, 2021 to conduct a hearing on amendments to Chapter 2.119 of the Domestic Partnership Ordinance; and

WHEREAS: The Ordinance Committee voted to forward the following amendments to the full City Council with a favorable recommendation; now therefore be it

ORDERED: That section 2.119.020(D) of the Ordinances of the City of Cambridge be amended to read as follows:

D. "Domestic partnership" means the entity formed by two **or more** persons who meet the following criteria and jointly file a registration statement proclaiming that:

1. They are in a relationship of mutual support, caring and commitment and intend to remain in such a relationship; and
- ~~2. They reside together; and~~
- ~~3 2. They are not married to anyone outside the partnership; and [deleted - QZ]~~
- ~~4 3 2.~~ 2. They are not related by blood closer than would bar marriage in the Commonwealth of Massachusetts; and
- ~~5 4 3. They are each other's sole domestic partner~~ They are not in a domestic partnership with others outside this partnership; and
- ~~6 5 4.~~ 4. They are competent to contract; and
- ~~7 6 5.~~ 5. They consider themselves to be a family.

ORDERED: That section 2.119.020(E) of the Ordinances of the City of Cambridge be deleted in its entirety:

~~E. Subsequent to the filing of a registration form, the existence of a "family" relationship may be shown by evidence relevant to the following factors:~~

- ~~1. The manner in which the people live their daily lives;~~
- ~~2. How they hold their relationship out to the world;~~
- ~~3. Their emotional and financial commitment;~~
- ~~4. Their reliance on each other for daily family services;~~
- ~~5. The longevity of their relationship; and~~
- ~~6. Any other factors which may be relevant.~~

ORDERED: That section 2.119.030 of the Ordinances of the City of Cambridge be amended to read as follows:

2.119.030 - Registration and **withdrawal termination.**

- A. Persons who meet the criteria set out in subsection D of Section 2.119.020 may make an official record of their domestic partnership by filing a domestic partnership registration form with the City Clerk. The domestic partnership registration shall include the name and date of birth of each of the domestic partners, ~~the address of their common household,~~ and the name and dates of birth of any dependents of the domestic partnership, and shall be signed, under the pains and penalties of perjury, by **all** ~~both~~ domestic partners.
- B. Domestic partners may amend the domestic partnership registration to add or delete **domestic partners**, dependents, ~~or change the household address.~~ Amendments to the domestic partnership registration shall be signed, under the pains and penalties of perjury, by **all** ~~both~~ domestic partners.

C. If any member of the domestic partnership is married or in another domestic partnership, notice of the registration of this domestic partnership and/or of the addition of new partner(s) to this domestic partnership must be given by certified mail to any marital or domestic partners outside of this domestic partnership. [QZ addition]

D. ~~C. A domestic partnership is terminated by the death of a domestic partner or by the filing of a termination statement by a domestic partner.~~ Any person in a domestic partnership may voluntarily withdraw from the domestic partnership by filing a withdrawal statement.

1. ~~The death of a domestic partner automatically terminates a domestic partnership.~~ 2. Any person in a domestic partnership may voluntarily withdraw from the domestic partnership by filing ~~A domestic partnership may be terminated by a domestic partner who files with the City Clerk, by hand or by certified mail, a termination withdrawal statement. The person filing the withdrawal termination statement must declare under pains and penalties of perjury that they are withdrawing from the domestic partnership is terminated and that a copy of the termination withdrawal statement has been mailed by certified mail to the other domestic partners at his or her their last known addresses. The person filing the termination withdrawal statement must include on such statement the addresses to which the copy was mailed. The fee for a domestic partnership withdrawal termination shall be \$5.00.~~

2. The death of a domestic partner functions as an automatic withdrawal from the domestic partnership as to that partner.

E. ~~D. If there are only two persons in the domestic partnership, withdrawal of one person terminates the domestic partnership. If there are more than two persons in the domestic partnership, withdrawal of one partner does not terminate the domestic partnership as to the remaining persons in the domestic partnership. The termination of a domestic partnership shall be effective immediately upon the death of a domestic partner. The voluntary withdrawal termination of from a domestic partnership by a partner shall be effective seven days after the receipt of a withdrawal termination statement by the City Clerk. Prior to becoming effective, the person who filed the withdrawal termination statement may retract withdraw the withdrawal termination statement in person or by certified mail at the office of the City Clerk. If the withdrawal termination statement is retracted withdrawn, the domestic partner shall give notice of the retraction, by certified mail, to the other domestic partners. The withdrawal of a deceased person from a domestic partnership shall be effective immediately upon the death of that domestic partner.~~

F. ~~E. If a domestic partnership is terminated by the death of a domestic partner, there shall be no required waiting period prior to filing another domestic partnership. If a person voluntarily withdraws from a domestic partnership, is terminated by one or both domestic partners, neither that person may not domestic partner may file another domestic partnership until six months ninety days have elapsed from withdrawal termination.~~