

Rights and Responsibilities of Domestic Partners in the District of Columbia

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Healthcare and Decision Making

- Domestic partners may visit each other in hospitals. § 32-704.
- Domestic partners may make medical decisions if their partners are incapacitated. §21-2210.
- Domestic partners have rights of guardianship and power of attorney. § 21-2043; 21-2065; 21-2068; 21-2113.

Death and Inheritance

- If a domestic partner dies, the survivor may claim the partner's remains. § 3-413.
- Domestic partners have rights as surviving partners. § 19-114; 19-115.
- If a person dies without a will (intestate), their domestic partner inherits the estate. However, having a will is much, much better. Plus, other rules for bequests and inheritance. § 19-112; 19-113; 19-301; 19-302; 19-305; 19-602.11; 19-602.12; 19-602.15; 19-904; 20-303.

Taxes

- Domestic Partners may file their D.C. taxes jointly. § 47-1801.04; 47-1805.01; 47-1806; 47-1812.08; 47-4212; 47-4432; 47-4440; 47-4509(a). Applies to tax year 2007 and later.
- Employer contributions to health insurance for a domestic partner are not taxable income for D.C. taxes. § 47-1803.02.
- Domestic Partners may add each other to the title on their cars. § 50-1501.02(e)(4).
- Domestic Partners may add each other to the deed of their homes. § 42-1102.
- Transfer of real property between domestic partners is exempt from taxation by the D.C. Government. § 47-902.

Property

- If a person dies in the process of their apartment being converted to a condominium, partners retain the right to buy the unit. § 42-3404.02(b)(c).
- If a landlord's property is placed in receivership, domestic partners are ineligible to be appointed as a disinterested receiver, as are other family members. § 42-3651.05(c)(3).
- Domestic partners may use the tax abatements for rehabilitation of single-family homes in enterprise zones if their home-owning domestic partner dies. § 47-858.03.
- Domestic partners have protection from losing property due to the debts of the partner. § 15-502.
- Domestic partners are responsible for their debts in common, but not for debts that they were not part of, except for necessities for either of them or for their dependent children. § 46-601.

Crime and Violence

- Domestic partners are protected under the D.C. domestic violence law. § 16-1001.
- Domestic partners are considered family and have standing to sue whoever willfully or maliciously destroys, alters, conceals, or tampers with evidence or records that are being preserved and retained in crimes against their partners. § 5-113.31; 5-113.33.
- Domestic partners are protected from discrimination on the basis of their “marital status” in employment, housing, public accommodation, and education. § 2-1702(17)
- Domestic partners have immunity from testifying against each other, with appropriate exceptions. § 14-306; 14-309; 22-3001(10); 22-3019; 22-3024.
- Domestic partners have standing to sue for negligence causing death. § 16-2701.
- Domestic Partners of District public officials receive protection from violence as family members. § 22-851.
- It is illegal to cause a domestic partner to live in prostitution. § 22-2708.
- Disclosure of HIV Tests of Certain Criminal Offenders may be made to domestic partners of the victims. § 22-3901.

D.C. Government Employees Benefits

- The D.C. Government will pay 75% of the cost of health insurance purchased by District government employees for their domestic partners. § 32-706.
- A District government employee shall be granted sick leave when needed to care for a domestic partner. § 32-705(a); 32-501; 1-612.31; 1-612.32(b).
- A District government employee shall be granted sick leave to care for a minor child of either domestic partner or to care for the employee's domestic partner who is on maternity or paternity leave. § 32-705(b); 32-501.
- A District government employee shall be granted funeral leave or annual leave when needed to make arrangements for or attend a funeral or memorial service for a domestic partner. § 32-705(c); 32-501.
- A District government employee who is adopting or whose domestic partner is adopting a child shall be granted annual leave or leave without pay to make necessary family arrangements. § 32-705(d); 32-501.
- D.C. employees may use opportunity account funds for partner's education or business start-up. § 1-307.68.

Premarital Agreements and Alimony

- Domestic partners may contract binding pre-marital agreements. § 46-501; 46-504; 46-505; 46-506; 46-507; 45-508.
- Domestic partners have rules for distribution of property; alimony; and support. § 16-910; 16-911; 16-913; 16-916.

Government Services

- Domestic partners are family for integrated funding and services for at-risk children, youth, and families. Part of the D.C. Budget.