

Civil Union/Same Gender Marriage:

The State of NH legalized Civil Unions on January 1, 2008.

On June 3, 2009, the State of NH approved House Bill 436, to be effective January 1, 2010, which allows same gender marriages and provides the process for current civil unions to obtain a legal status of marriage.

HB 436 states, *“this bill eliminates the exclusion of same gender couples from marriage, affirms religious freedom protections of clergy with regard to the solemnization of marriage, and provides a mechanism by which same gender couples who have entered into a civil union prior to the enactment of this bill may obtain the legal status of marriage.”*

Effective January 1, 2010:

RSA 457:1-a Equal Access to Marriage. Marriage is the legally recognized union of 2 people. Any person who otherwise meets the eligibility requirements of this chapter may marry any other eligible person regardless of gender. Each party to a marriage shall be designated “bride”, “groom”, or “spouse”.

RSA 457:46 Obtaining Legal Status of Marriage:

- I. Two consenting persons who are parties to a valid civil union entered into prior to January 1, 2010 pursuant to this chapter may apply and receive a marriage license and have such marriage solemnized pursuant to RSA 457, provided that the parties are otherwise eligible to marry under RSA 457 and the parties to the marriage are the same as the parties to the civil union. Such parties may also apply by January 1, 2011 to the clerk of *the town or city in which their civil union is recorded* to have their civil union legally designated and recorded as a marriage, without any additional requirements of payment of marriage licensing fees or solemnization contained in RSA 457, provided that such parties’ civil union was not previously dissolved or annulled. Upon application, the parties shall be issued a marriage certificate, and such marriage certificate shall be recorded with the Division of Vital Records Administration. Any civil union shall be dissolved by operation of law by any marriage of the same parties to each other, as of the date of the marriage stated in the certificate.
- II. Two persons who are parties to a civil union established pursuant to RSA 457-A that has not been dissolved or annulled by the parties or merged into a marriage in accordance with paragraph I by January 1, 2011 shall be deemed to be married under this chapter on January 1, 2011 and such civil union shall be merged into such marriage by operation of law on January 1, 2011.