

AB 2700

Domestic Partnership rights, registration and termination continues to be the subject of ongoing Legislative changes. This bill amends sections 299 and 2010 of the *Family Code* to authorize registered domestic partners who are also married to one another to petition the court to dissolve both their domestic partnership status and their marriage status in a single proceeding in a form prescribed by the Judicial Council.

The new Legislation also specifies that the court's jurisdiction concerning the status of a marriage includes out-of-state same-sex marriages contracted on or after November 5, 2008. The November 5, 2008 date referenced refers to the date Proposition 8 became effective in California ["Only marriage between a man and a woman is valid or recognized in California."] The initiative measure was held prospectively valid in *Strauss v. Horton* (2009) 46 Cal.4th 364. The order of the U.S. District Court in San Francisco issued August 4, 2010, declaring Proposition 8 unconstitutional, has been stayed by order of the Ninth Circuit dated August 16, 2010. A hearing is calendared during the week of December 6, 2010.

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