

Same Sex Marriage - State Requirements

STATE	LEGALIZED	PROHIBITED	RESIDENCY	WAITING PERIOD	COMMENTS
California	Yes	No	Not required	No waiting period See Cal. Fam. Code § § 350 - 360.	On June 26, 2013, US Supreme Court decision allows same-sex marriages to resume in California. <i>See Hollingsworth v. Perry</i> , 570 U.S. (2013); <i>in re Marriage Cases</i> , 183 P.3d 384 (Cal. 2008).
Connecticut	Yes See Conn. Gen. Stat. § 46b-20(4).	No	Not required	No waiting period See Conn. Gen. Stat. § 46b-24.	
Delaware	Yes See Del. Code tit. 13, § § 101(a) and 218.	No	Not required	24 hours See Del. Code tit. 13, § 107(a).	Law in effect on July 1, 2013. On July 1, 2014, civil unions entered into in Delaware that have not been converted to a marriage will be converted to a marriage by operation of law. See Del. Code tit. 13, § § 218(b) and 218(c).

District of Columbia	Yes See D.C. Code § 46-401.	No	Not required	Three (3) days See D.C. Code § 46-409.	
Iowa	Yes	No	Not required	Three (3) business days See Iowa Code § 595.4.	<i>See Varnum v. Brien</i> , 763 N.W.2d 862 (Iowa 1999).
Massachusetts	Yes	No	Not required	Three (3) days See Mass. Gen. Laws, ch. 207, § 19.	<i>See Goodridge v. Dep't. of Pub. Health.</i> , 798 N.E.2d 941 (Mass 2003).
Maine	Yes See 19 M.R.S. §§ 650-A and 651-2.	No	Not required	No waiting period See 19 M.R.S. § 652-1.	
Maryland	Yes See Md. Code, Fam. Law § 2-201.	No	Not required	Two (2) days See Md. Code, Fam. Law § 2-405(d)(1).	
Minnesota	Yes See Minn. Stat. § 517.01.	No	Not required	Five (5) days See Minn. Stat. § 517.08-1b(a).	Law in effect on August 1, 2013

New Hampshire	Yes See N.H. Rev. Stat. § 457: 1-a.	No	Not required	No waiting period. See N.H. Rev. Stat. § 457: 26.	
New York	Yes See N.Y. Dom. Rel. Law § 10-A.	No	Not required	24 hours See N.Y. Dom. Rel. Law § 13-B.	
Rhode Island	Yes See R.I. Gen. Laws § § 15-1-1 and 15-2-1(c).	No	Not required	No waiting period See R.I. Gen. Laws § 15-2.	Law in effect on August 1, 2013. As of this date, civil unions entered into in Rhode Island will be merged into marriage by operation of law. Rhode Island affords state-level spousal rights to parties of a civil union validly entered into in another state. See R.I. Gen. Laws § § 15-3.1-12 and 15-1-8.
Vermont	Yes See Vt. Stat. tit. 15, § 8.	No	Not required	No waiting period See Vt. Stat. tit. 15, § § 1-8.	

Washington	Yes See Wash. Rev. Code § 26.04.010(1).	No	Not required	Three (3) days See Wash. Rev. Code § 26.04.180.	
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States to Watch

STATE	LEGALIZED	PROHIBITED	RESIDENCY	WAITING PERIOD	COMMENTS
Hawaii	No See H.I. Const. art. I, § 23; Haw. Rev. Stat. § 572-1.	Yes	Not required	No waiting period See Haw. Rev. Stat. § 572-6.	Hawaii's Supreme Court decision in favor of same-sex marriage in 1993 was defeated by a public vote that threw the measure back to the legislature, where it was prohibited. State Legislators hope to reverse the ban.

<p>Illinois</p>	<p>No</p> <p>See 750 Ill. Comp. Stat. §§ 5/201 and 5/212(5).</p>	<p>Yes</p>	<p>Not required</p>	<p>24 hours for marriage license</p> <p>AND</p> <p>24 hours for civil union license</p> <p>See 750 Ill. Comp. Stat. §§ 5/207 and 75/30.</p>	<p>Earlier in 2013, the state Senate passed a same-sex marriage bill, but the state House struck it down. If the bill can get through the legislature, Governor Pat Quinn says he will sign it.</p> <p>Currently, Illinois allows same-sex couples to enter into a civil union and deems same-sex marriages legally entered into in other states as civil unions. Parties to a civil union are entitled to state-spousal rights granted by Illinois law.</p> <p>See 750 Ill. Comp. Stat. § 75/5.</p>
<p>Michigan</p>	<p>No</p> <p>See M.I. Const. art. I, § 25; Mich. Comp. Laws § 551.1.</p>	<p>Yes</p>	<p>Not required</p>	<p>Three (3) days</p> <p>See Mich. Comp. Laws § 551.103a.</p>	<p>Michigan's ban on same-sex marriage is currently being challenged in federal court and State Democrats have announced new legislation to overturn it.</p> <p>County clerks are preparing to offer same-sex marriage licenses should the court find Michigan's marriage laws unconstitutional.</p>

New Jersey	No No laws either banning or allowing same-sex marriage.	Yes	Not required	72 hours for marriage license AND 72 hours for civil union license See N.J. Rev. Stat. § 37:1-4.	Governor Chris Christie vetoed a same-sex marriage bill last year. Legislators may pass a new bill or override his veto. New Jersey offers civil unions that provide state-level spousal benefits, protections, and responsibilities. See N.J. Rev. Stat. § § 37:1-3 and 37:1-31-4a.
Pennsylvania	No See 23 Pa. Cons. Stat. § 1102.	Yes	Not required	Three (3) days See 23 Pa. Cons. Stat. § 1303(a).	Pennsylvania's ban on same-sex marriages and its refusal to recognize such marriages from other states is currently being challenged in federal court.

*The information listed above is for guidance only. Please make sure to verify all information with the appropriate marriage clerk before making wedding or travel plans.

*All marriage license fees may vary by county.