



City of Chicago



O2017-4838

Office of the City Clerk

Document Tracking Sheet

Meeting Date:	6/28/2017
Sponsor(s):	Emanuel (Mayor)
Type:	Ordinance
Title:	Amendment of Municipal Code Section 2-152-072 setting deadline for filing of Affidavit of Domestic Partnership by City of Chicago employees
Committee(s) Assignment:	Committee on Workforce Development and Audit



OFFICE OF THE MAYOR
CITY OF CHICAGO

RAHM EMANUEL
MAYOR

June 28, 2017

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Human Resources, I transmit herewith an ordinance amending Section 2-152-072 of the Municipal Code regarding qualified Domestic Partners.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 2-152-072 of the Municipal Code of Chicago is hereby amended by adding the language underscored as follows:

2-152-072 Eligibility for benefits – Qualified domestic partners.

A qualified domestic partner, as defined in this section, of an individual employed by the City of Chicago shall be eligible for the same benefits, including but not limited to health coverage, as are available to the spouse of an individual employed by the City of Chicago. To be eligible for coverage as a qualified domestic partner, the city employee and the domestic partner must complete and file with the department of human resources, before August 1, 2017, an "Affidavit of Domestic Partnership" in which they attest that:

- (A) they are each other's sole domestic partner, responsible for each other's common welfare; and
- (B) neither party is married, as marriage is defined under Illinois law; and
- (C) the partners are not related by blood closer than would bar marriage in the State of Illinois; and
- (D) each partner is at least 18 years of age, and the partners are the same sex, and the partners reside at the same residence; and
- (E) two of the following four conditions exist for the partners:
 - 1. The partners have been residing together for at least 12 months prior to filing the Affidavit of Domestic Partnership.
 - 2. The partners have common or joint ownership of a residence.
 - 3. The partners have at least two of the following arrangements:
 - a. joint ownership of a motor vehicle;
 - b. a joint credit account;
 - c. a joint checking account;
 - d. a lease for a residence identifying both domestic partners as tenants.
 - 4. The city employee declares that the domestic partner is identified as a primary beneficiary in the employee's will.

In light of the availability of marriage to same-sex partners conferred by the Religious Freedom and Marriage Fairness Act, 750 ILCS 80/1 et seq., the department of human resources shall not accept affidavits under this section after July 31, 2017.

In addition to the foregoing, for a domestic partner to be qualified, the parties must agree to notify the department of human resources of any change in the circumstances which have been attested to in the documents qualifying a person for coverage as a domestic partner. Following the termination of a domestic partnership, a minimum of 12 months must elapse before a city employee is eligible to designate a new domestic partner.

The commissioner of human resources is hereby authorized to promulgate regulations to effectuate the purposes of this section. The regulations shall provide that any person who submits false information in connection with this section, including an affidavit that contains inaccurate information, shall be subject to discipline as set forth in the city human resources rules.

SECTION 2. This ordinance shall be in full force and effect following due passage and approval.