

Social Security

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Program Operations Manual System (POMS)

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GN 00210.003 Same-Sex Marriage – Dates States Permitted or Recognized Same-Sex Marriage

As set out in GN 00210.002, consult this chart to determine:

- which states have laws permitting same-sex marriages;
- the date when the states listed first permitted same-sex marriages;
- which states recognize same-sex marriages from other states; and
- for claims involving a deceased number holder (NH), the date when the states listed first began to recognize same-sex marriages from other states.

COLUMN I	COLUMN II	COLUMN III
State	Date Same-Sex Marriages Were Permitted in the State	Date Same-Sex Marriages from Any Other State Were Recognized
California (See NOTE)	June 17, 2008 – November 4, 2008 June 26, 2013 - present	June 17, 2008 – November 4, 2008 June 26, 2013 - present
Connecticut	November 12, 2008	November 12, 2008
Delaware	July 1, 2013	July 1, 2013
District of Columbia	March 9, 2010	July 7, 2009
Hawaii	December 2, 2013	December 2, 2013
Illinois	December 16, 2013	February 21, 2014

Iowa	April 20, 2009	April 30, 2009
Maine	December 29, 2012	December 29, 2012
Maryland	January 1, 2013	February 23, 2010
Massachusetts	May 17, 2004	May 17, 2004
Minnesota	August 1, 2013	August 1, 2013
New Hampshire	January 1, 2010	January 1, 2010
New Jersey	October 21, 2013	Continue to hold per instructions in GN 00210.005.
New Mexico	August 21, 2013 Per GN 00210.005, hold all claims in which same-sex couples allege a ceremonial marriage in New Mexico based on a marriage license issued by Sandoval County in 2004.	January 4, 2011
New York	July 24, 2011	February 1, 2008
Oregon	May 19, 2014	October 16, 2013
Pennsylvania	May 20, 2014 Per GN 00210.005, hold all claims in which same-sex couples allege a marriage in Pennsylvania based on a marriage license issued prior to this date.	May 20, 2014
Rhode Island	August 1, 2013	May 14, 2012
Vermont	September 1, 2009	September 1, 2009
Washington	December 6, 2012	December 6, 2012

NOTE - CALIFORNIA MARRIAGES: Although the laws regarding same-sex marriage in California changed, and there was a period of time when the state did not permit any same-sex marriages, we consider any same-sex marriage celebrated between June 17, 2008 and November 4, 2008, to have been valid since the date of celebration.

For example, if a claimant married a number holder (NH) in California on October 30, 2008, and

the NH died while domiciled in California on October 30, 2011, we would recognize the marriage as having duration of three full years for purposes of determining the claimant's entitlement to survivor benefits or the lump sum death payment.

Reference:

GN 00210.002 Same-Sex Marriage - Determining Marital Status for Title II and Medicare Benefits

To Link to this section - Use this URL:

<http://policy.ssa.gov/poms.nsf/lnx/0200210003>

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