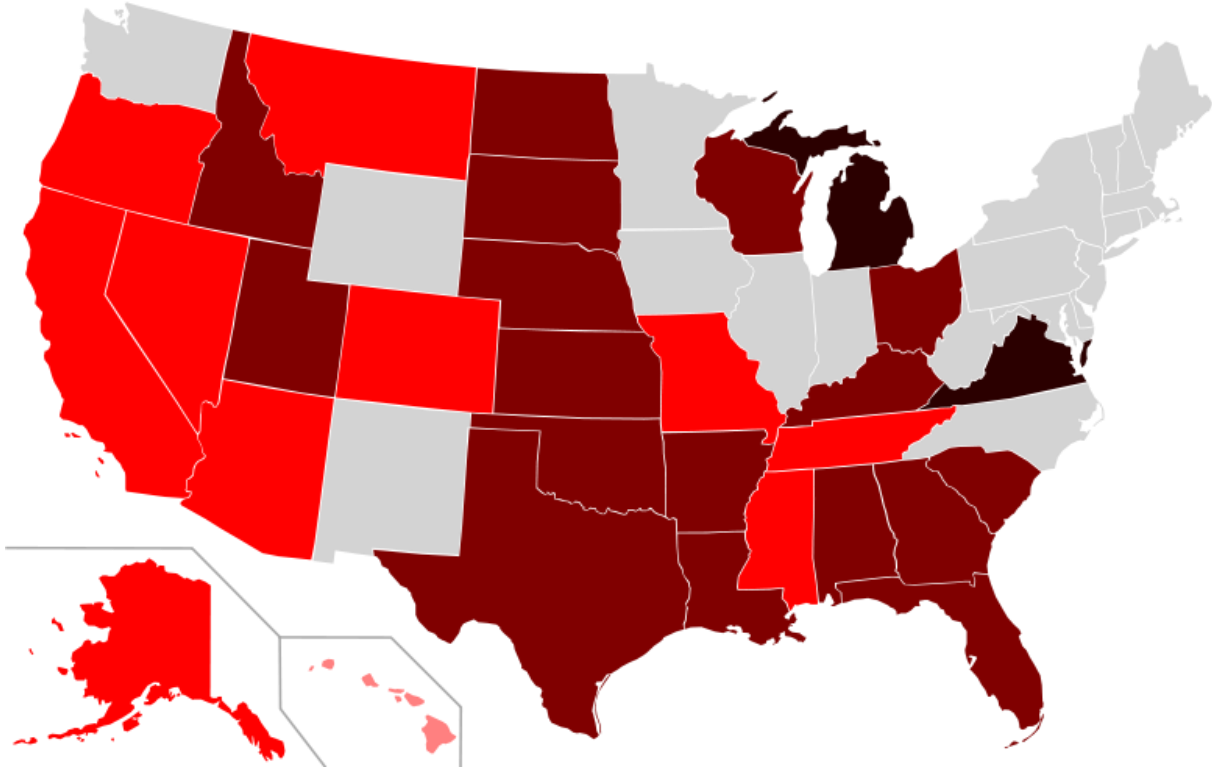


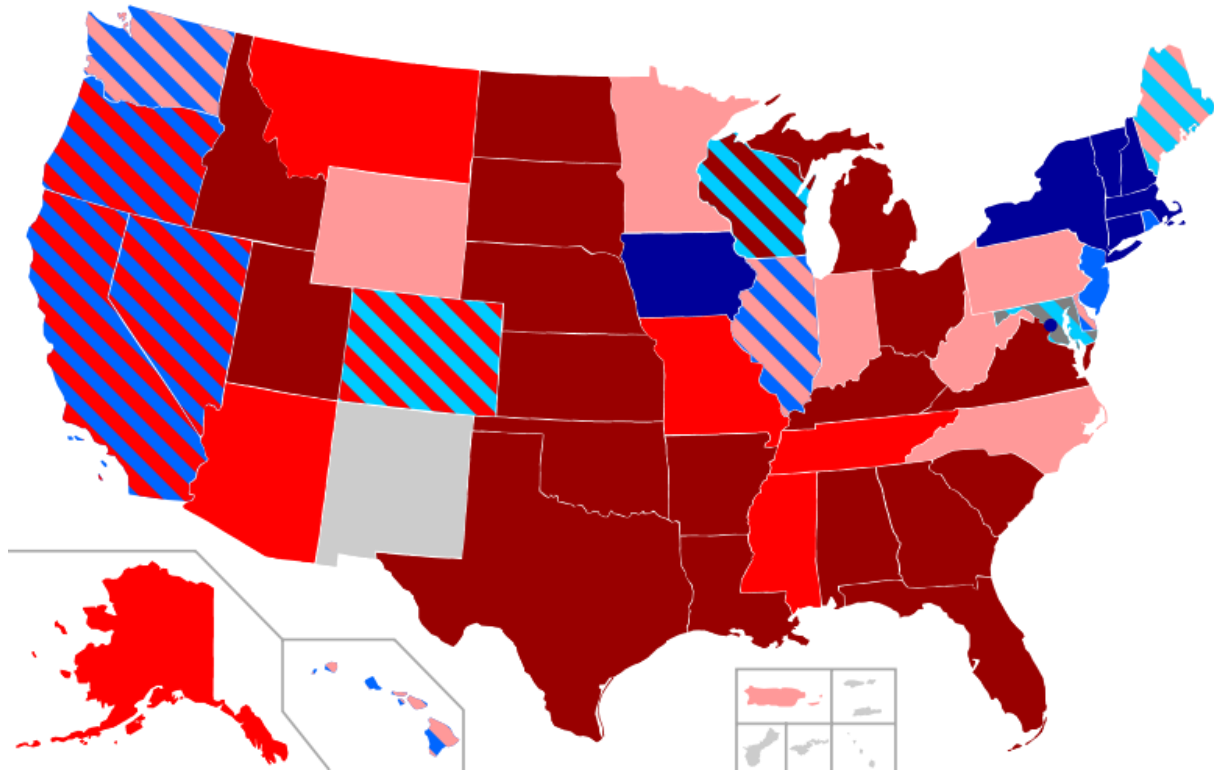
Constitutional bans on same-sex unions in the United States, by state¹



- Constitutional amendment bans same-sex marriage, civil unions, and any marriage-like contract between unmarried persons
- Constitutional amendment bans same-sex marriage and civil unions
- Constitutional amendment bans same-sex marriage
- Constitutional amendment grants legislature authority to ban same-sex marriage
- No constitutional amendments

¹ http://en.wikipedia.org/wiki/List_of_U.S._state_constitutional_amendments_banning_same-sex_unions_by_type
Accessed 12/19/11

Laws regarding same-sex partnership in the United States²



- Same-sex marriage¹
- Unions granting rights similar to marriage^{1,2}
- Legislation granting limited/enumerated rights¹
- Same-sex marriages performed elsewhere recognized¹
- No specific prohibition or recognition of same-sex marriages or unions
- Statute bans same-sex marriage
- Constitution bans same-sex marriage
- Constitution bans same-sex marriage *and* other kinds of same-sex unions

¹May include recent laws or court decisions which have created legal recognition of same-sex relationships, but which have not entered into effect yet.

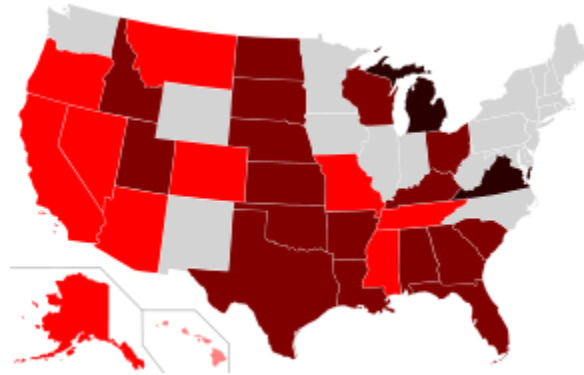
²Same-sex marriage laws in California are complicated; please see the article on Same-sex marriage in California

² http://en.wikipedia.org/wiki/Same-sex_marriage_in_the_United_States
Accessed 12/19/11

List of U.S. state constitutional amendments banning same-sex unions by type³

From Wikipedia, the free encyclopedia

Further information: [U.S. state constitutional amendments banning same-sex unions](#)



Current U.S. state constitutional amendments banning legal recognition of same-sex unions, by type

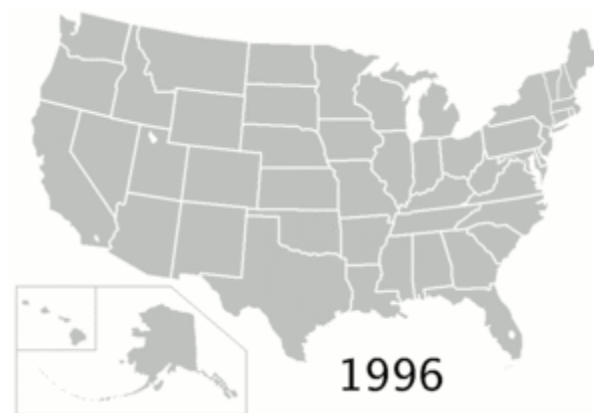
Constitutional amendment bans same-sex marriage, civil unions, and any marriage-like contract between unmarried persons

Constitutional amendment bans same-sex marriage and civil unions

Constitutional amendment bans same-sex marriage

Constitutional amendment grants legislature authority to ban same-sex marriage

No U.S. state constitutional amendment banning legal recognition of same-sex unions



The adoption of U.S. state constitutional amendments banning legal recognition of same-sex unions over time

There are several different types of state [constitutional amendments](#) banning legal recognition of same-sex unions in [U.S. state constitutions](#), termed defense of marriage amendments.^[1] The amendments to have been enacted to prevent [civil unions](#) or [same-sex marriages](#) from being legalized, though some of the amendments bar only the latter. As of 2011, [Massachusetts](#),

³http://en.wikipedia.org/w/index.php?title=List_of_U.S._state_constitutional_amendments_banning_same-sex_unions_by_type&oldid=451587122

Accessed 12/19/11

Connecticut, Iowa, Vermont, New York and New Hampshire are the only U.S. states to allow same-sex marriage. The District of Columbia also allows same-sex marriages.

Thirty U.S. state constitutional amendments banning legal recognition of same-sex unions have been adopted. Of these, ten make only same-sex marriage unconstitutional, seventeen make both same-sex marriage and civil unions unconstitutional, two make same-sex marriage, civil unions, and other contracts unconstitutional, and one is unique. Hawaii's amendment is unique in that it does not make same-sex marriage unconstitutional; rather, it allows the state to limit marriage to opposite-sex couples. Virginia's amendment prevents the state from recognizing private contracts that "approximate" marriage. Observers have pointed out that such language encompasses private contracts and medical directives.^{[2][3]} Furthermore, the Michigan Supreme Court has held that the state's amendment bans not only same-sex marriage and civil unions, but also domestic partnership benefits such as health insurance.^[4] California Proposition 8 was declared unconstitutional by Vaughn R. Walker, chief judge of the United States District Court for the Northern District of California, on August 4, 2010, in Perry v. Schwarzenegger, but his ruling was put on hold pending a request for a stay the same day.^[5] Nebraska Initiative Measure 416 was declared unconstitutional by Joseph F. Bataillon, district judge on the United States District Court for the District of Nebraska, in November, 2005 in Citizens for Equal Protection v. Bruning, but his ruling was reversed on appeal by the United States Court of Appeals for the Eighth Circuit, which ruled that "laws limiting the state-recognized institution of marriage to heterosexual couples ... do not violate the Constitution of the United States."^[6]

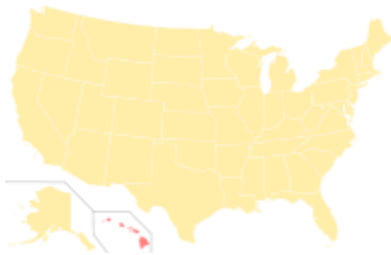
This list only covers bans of civil unions, private contracts between same-sex couples and same-sex marriage in state constitutions; state statutes are not listed. The text of these amendments sometimes runs several paragraphs. In this event, excerpts of the most important phrases or sentences are included in this list.

State constitutional amendments are typically approved first by the legislature or special constitutional convention and then by the voters in a referendum.^{N-[1]} In some states, one or both of these steps is repeated.^{N-[2]} The percentages shown in the list are results from the referendum stage, not the legislative stage.

Contents

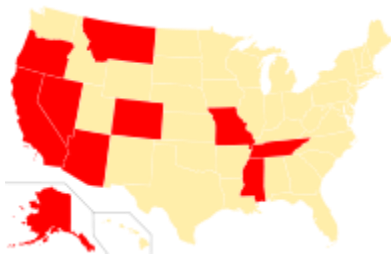
- [1 Amendments that grant legislative authority to ban same-sex marriage](#)
- [2 Amendments that ban same-sex marriage](#)
- [3 Amendments that ban same-sex marriage and civil unions, but not other contracts](#)
- [4 Amendments that ban same-sex marriage, civil unions, and other contracts](#)
- [5 Notes](#)
- [6 References](#)
- [7 External links](#)

Amendments that grant legislative authority to ban same-sex marriage



State	Year	Support vote %	Title	Amendment
Hawaii	1998	69% ^{[7][8]}	<i><u>Constitutional Amendment 2</u></i> ^[7]	The legislature shall have the power to reserve marriage to opposite-sex couples. ^[9]

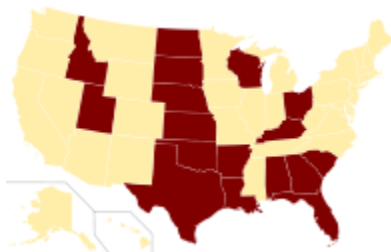
Amendments that ban same-sex marriage



State	Year	Support vote %	Title	Amendment (in relevant part)
<u>Alaska</u>	1998	68% ^[10]	<u>Ballot Measure 2, Joint Resolution 42</u> ^[10]	To be valid or recognized in this State, a marriage may exist only between one man and one woman. ^[11]
<u>Nevada</u>	2000, 2002 ^{N-[2]}	69.6%; 67.1% ^{N-[2]}	<u>Nevada Question No. 2</u> ^[12]	Only a marriage between a male and female person shall be recognized and given effect in this state. ^[13]
<u>Mississippi</u>	2004	86% ^[14]	<u>Mississippi Amendment 1</u> ^[14]	Marriage may take place and may be valid under the laws of this state only between a man and a woman. ^[15]
<u>Missouri</u>	2004	72% ^[16]	<u>Constitutional Amendment 2</u> ^[17]	To be valid and recognized in this state, a marriage shall exist only between a man and a woman. ^[18]
<u>Montana</u>	2004	67% ^[14]	<u>Montana Initiative 96</u> ^[14]	Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. ^[19]
<u>Oregon</u>	2004	57% ^[14]	<u>Oregon Ballot Measure 36</u> ^[20]	Only a marriage between one man and one woman shall be valid or legally recognized as a marriage. ^[21]
<u>Colorado</u>	2006	56% ^[22]	<u>Colorado Amendment 43</u> ^[23]	Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. ^[23]
<u>Tennessee</u>	2006	81% ^[22]	<u>Tennessee Amendment 1</u> ^[24]	The historical institution and legal contract solemnizing the relationship of one man and one woman shall be the only legally

State	Year	Support vote %	Title	Amendment (in relevant part)
				recognized marital contract in this state. ^[24]
<u>Arizona</u>	2008	56% ^[25]	<u>Arizona Proposition 102</u> ^[26]	Only a union of one man and one woman shall be valid or recognized as a marriage in this state. ^[26]
<u>California</u>	2008	52% ^[25]	<u>California Proposition 8</u> ^[27]	Only marriage between a man and a woman is valid or recognized in California. ^[27]

Amendments that ban same-sex marriage and civil unions, but not other contracts



State	Year	Support vote %	Title	Amendment (in relevant part)
<u>Nebraska</u>	2000	70% ^[28]	<u>Initiative Measure 416</u> ^[28]	Only marriage between a man and a woman shall be valid or recognized in Nebraska. The uniting of two persons of the same sex in a civil union, domestic partnership, or other similar same-sex relationship shall not be valid or recognized in Nebraska. ^[29]
<u>Arkansas</u>	2004	75% ^[14]	<u>Constitutional Amendment 3</u> ^[30]	(1) Marriage consists only of the union of one man and one woman. (2) Legal status for

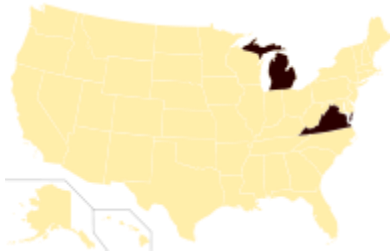
State	Year	Support vote %	Title	Amendment (in relevant part)
				unmarried persons which is identical or substantially similar to marital status shall not be valid or recognized in Arkansas. ^[31]
<u>Georgia</u>	2004	76% ^[14]	<u>Constitutional Amendment 1</u> ^[32]	(a) This state shall recognize as marriage only the union of man and woman. Marriages between persons of the same sex are prohibited in this state. (b) No union between persons of the same sex shall be recognized by this state as entitled to the benefits of marriage. ^[33]
<u>Kentucky</u>	2004	75% ^[14]	<u>Constitutional Amendment 1</u> ^[34]	Only a marriage between one man and one woman shall be valid or recognized as a marriage in Kentucky. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized. ^[35]
<u>Louisiana</u>	2004	78% ^[14]	<u>Constitutional Amendment 1</u> ^[36]	Marriage in the state of Louisiana shall consist only of the union of one man and one woman. No official or court of the state of Louisiana shall construe this constitution or any state law to require that marriage or the legal incidents thereof be conferred upon any member of a union other than the union of one man and one woman. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized. ^[37]
<u>North Dakota</u>	2004	73% ^[14]	<u>North Dakota Constitutional Measure 1</u> ^[38]	Marriage consists only of the legal union between a man and a woman. No other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect. ^[39]

State	Year	Support vote %	Title	Amendment (in relevant part)
<u>Ohio</u>	2004	62% ^[14]	<u>State Issue 1</u> ^[40]	Only a union between one man and one woman may be a marriage valid in or recognized by this state. This state and shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage. ^[41]
<u>Oklahoma</u>	2004	76% ^[14]	<u>State Question 711</u> ^[42]	A. Marriage in this state shall consist only of the union of one man and one woman. Neither this Constitution nor any other provision of law shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups. C. Any person knowingly issuing a marriage license in violation of this section shall be guilty of a misdemeanor. ^[43]
<u>Utah</u>	2004	66% ^[14]	<u>Constitutional Amendment 3</u> ^[44]	Marriage consists only of the legal union between a man and a woman. No other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect. ^[45]
<u>Kansas</u>	2005	70% ^[46]	<u>Proposed Amendment 1</u> ^[47]	(a) Marriage shall be constituted by one man and one woman only. All other marriages are declared to be contrary to the public policy of this state and are void. (b) No relationship, other than a marriage, shall be recognized by the state as entitling the parties to the rights or incidents of marriage. ^[48]
<u>Texas</u>	2005	76% ^[49]	<u>Proposition 2</u> ^[49]	(a) Marriage in this state shall consist only of the union of one man and one woman. (b) This state or a political subdivision of this state may not

State	Year	Support vote %	Title	Amendment (in relevant part)
				create or recognize any legal status identical or similar to marriage. ^[50]
<u>Alabama</u>	2006	81% ^[51]	<u><i>Sanctity of Marriage Amendment (Amendment 774)</i></u> ^[52]	No marriage license shall be issued in the State of Alabama to parties of the same sex... A union replicating marriage of or between persons of the same sex in the State of Alabama or in any other jurisdiction shall be considered and treated in all respects as having no legal force or effect in this state and shall not be recognized by this state as a marriage or other union replicating marriage. ^[52]
<u>Idaho</u>	2006	63% ^[22]	<u><i>Idaho Amendment 2</i></u> ^[22]	A marriage between a man and a woman is the only domestic legal union that shall be valid or recognized in this state. ^[53]
<u>South Carolina</u> ^{N-[3]}	2006	78% ^[22]	<u><i>South Carolina Amendment 1</i></u> ^[22]	A marriage between one man and one woman is the only lawful domestic union that shall be valid or recognized in this State. This State...shall not recognize...any other domestic union, however denominated. ^[54]
<u>South Dakota</u>	2006	52% ^[22]	<u><i>South Dakota Amendment C</i></u> ^[22]	Only marriage between a man and a woman shall be valid or recognized in South Dakota. The uniting of two or more persons in a civil union, domestic partnership, or other quasi-marital relationship shall not be valid or recognized in South Dakota. ^[55]
<u>Wisconsin</u>	2006	59% ^[22]	<u><i>Wisconsin Referendum 1</i></u> ^[22]	Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state. ^[56]
<u>Florida</u>	2008	62% ^[25]	<u><i>Florida Amendment 2</i></u> ^[57]	Inasmuch as marriage is the legal union of one man and one woman as husband and wife, no other legal union that is treated as marriage or the substantial equivalent thereof shall be valid

State	Year	Support vote %	Title	Amendment (in relevant part)
				or recognized. ^[57]

Amendments that ban same-sex marriage, civil unions, and other contracts



State	Year	Support vote %	Title	Amendment
<u>Michigan</u>	2004	59% ^[14]	<u>State Proposal - 04-2</u> ^[58]	To secure and preserve the benefits of marriage for our society and for future generations of children, the union of one man and one woman in marriage shall be the only agreement recognized as a marriage or similar union for any purpose. ^{[59][60]}
<u>Virginia</u>	2006	57% ^[61]	<u>Marshall-Newman Amendment</u> ^[61]	That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions. This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage. ^[62]

Notes

N-[1]^a The mechanics differ: 17 states allow constitutional amendments to be proposed by popular initiative, all allow the legislature to start the process, and five allow special conventions to start the process. In all states, though, the amendment is approved by elected members of a constitutional convention or elected legislators at least once, with varying standards for approval of the measure. Voters then vote directly on the resulting referendum.^[63]

N-[2]^{a b c} Amendments to the Nevada state constitution must be approved by the voters in two consecutive elections.^[12]

N-[3]^a South Carolina's Amendment explicitly disavows a Virginia-type regime that would affect private contracts: "This section shall not prohibit or limit parties, other than the State or its political subdivisions, from entering into contracts or other legal instruments."^[54]

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- O'Connell, Sue (2006-01-27). ["The Money Behind the 2004 Marriage Amendments"](#)(PDF). The Institute on Money in State Politics.
- Moore, Megan (2007-07-23). ["The Money Behind the 2006 Marriage Amendments"](#)(PDF). The Institute on Money in State Politics.

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Timeline of major events⁴

October 10, 1972: The [United States Supreme Court](#) dismisses appeal in *Baker v. Nelson* "for want of a substantial federal question".^[94]

May 5, 1993: The [Supreme Court of Hawaii](#) rules that statute limiting marriage to opposite-sex couples is presumed to be unconstitutional unless the state can show that it is (1) justified by compelling state interests and (2) narrowly drawn to avoid unnecessary abridgements of rights under the [Hawaii Constitution](#). The case is sent back to the lower courts for a trial on these two issues.^[95]

September 21, 1996: [President Bill Clinton](#) signs into law the [Defense of Marriage Act](#), denying federal recognition of same-sex marriages.

December 3, 1996: A Hawaii trial court judge holds that no compelling interests support Hawaii's statute limiting marriage to opposite-sex couples. He stays the decision pending review by the Supreme Court of Hawaii.^{[96][97]}

November 3, 1998: Hawaii voters pass a [constitutional amendment](#) to give the [Hawaii State Legislature](#) the power to reserve marriage to opposite-sex couples.^[98] Voters in [Alaska](#) approve a state constitutional amendment defining marriage as the union of one man and one woman.^[99]

December 9, 1999: In light of the constitutional amendment, the Supreme Court of Hawaii in *Baehr v. Miike* reverses the decision of the trial court and remands the case with instructions to enter judgment for the state.^[100]

December 20, 1999: The [Vermont Supreme Court](#) holds that exclusion of same-sex couples from benefits and protections incident to marriage under state law violated the common-benefits clause of the [Vermont Constitution](#).

November 2000: Voters in [Nebraska](#) approve [Nebraska Initiative Measure 416](#), a state constitutional amendment defining marriage as the union of one man and one woman.^[101]

November 2002: Voters in [Nevada](#) approve a state constitutional amendment defining marriage as the union of one man and one woman.^[102]

November 18, 2003: The [Massachusetts Supreme Judicial Court](#) gives the state legislature 180 days to enact same-sex marriage.

February 11, 2004: The [Massachusetts General Court](#) (legislature) completes the first step in a process that would ban same-sex marriage. The process is not continued.

February 12 – March 11, 2004: [San Francisco issues same-sex marriage licenses](#).

⁴ http://en.wikipedia.org/wiki/Same-sex_marriage_in_the_United_States
Accessed 12/19/11

March 3 – April 20, 2004: Several Oregon counties, led by Portland's Multnomah County, issue same-sex marriage licenses.

May 17, 2004: Same-sex marriage starts in Massachusetts.

August 12, 2004: The California Supreme Court rules that the San Francisco marriages are void.

August 3, 2004: Voters in Missouri approve a state constitutional amendment defining marriage as the union of one man and one woman.^[103]

September 18, 2004: Voters in Louisiana approve a state constitutional amendment defining marriage as the union of one man and one woman.^[104]

November 2004: Voters in Arkansas, Georgia, Kentucky, Michigan, Mississippi, Montana, North Dakota, Ohio, Oklahoma, Oregon, and Utah approve state constitutional amendments defining marriage as the union of one man and one woman.^[105]

April 5, 2005: Voters in Kansas, by a 70% to 30% margin, approve a state constitutional amendment defining marriage as the union of one man and one woman.^[106]

May 12, 2005: Nebraska Initiative Measure 416 overturned by United States District Judge Joseph F. Bataillon as a unconstitutional violation of the Fourteenth Amendment's Equal Protection clause, and a bill of attainder in violation of Article I's Contract Clause.

September 29, 2005: California Governor Arnold Schwarzenegger vetoes a same-sex marriage bill.

November 8, 2005: Voters in Texas approve a state constitutional amendment defining marriage as the union of one man and one woman.^[107]

June 6, 2006: Voters in Alabama approve a state constitutional amendment defining marriage as the union of one man and one woman, with 81% of voters voting in favor.^[108]

July 6, 2006: The New York Court of Appeals issues its decision in *Hernández v. Robles*, stating that same-sex partners do not have the right to marry under the New York Constitution.^[109]

July 14, 2006: United States Court of Appeals for the Eighth Circuit rules that Nebraska Initiative Measure 416's limiting marriage to one man and one woman does not violate the Fourteenth Amendment's Equal Protection clause, and was not a bill of attainder in violation of Article I's Contract Clause, reversing Judge Joseph F. Bataillon's 2005 decision.

November 2006: Voters in Colorado, Idaho, South Carolina, South Dakota, Tennessee, Virginia, and Wisconsin approve state constitutional amendments defining marriage as the union of one man and one woman.^{[110][111]}

October 12, 2007: California Governor Arnold Schwarzenegger vetoes same-sex marriage bill.

May 15, 2008: The Supreme Court of California overturns the state's ban on same-sex marriage.

June 16, 2008: Same-sex marriage starts in California.

September 10, 2008: HB436, a bill that seeks to "eliminate the exclusion of same gender couples from marriage", is submitted to the New Hampshire House of Representatives.

October 10, 2008: The [Supreme Court of Connecticut](#) orders same-sex marriage legalized.

November 4, 2008: Voters in [Arizona](#), [California](#), and [Florida](#) approve state constitutional amendments defining marriage as the union of one man and one woman.^[112]

November 5, 2008: Proposition 8 takes effect in California, stopping new same-sex marriage licenses from being issued after this date.

November 12, 2008: Same-sex marriage starts in Connecticut.

March 26, 2009: HB436 supporting same-sex marriage passes the New Hampshire House of Representatives.

April 3, 2009: The [Iowa Supreme Court](#) legalizes same-sex marriage.

April 6, 2009: A same-sex marriage bill is passed by the [Vermont General Assembly](#) and then vetoed by the governor.

April 7, 2009: The [Vermont General Assembly](#) overrides the governor's veto of the same-sex marriage bill.

April 23, 2009: Connecticut governor signs legislation which *statutorily* legalizes same-sex marriage (see Oct. 10 and Nov. 12, 2008), and also converts any existing civil unions into marriages as of October 1, 2010.

April 27, 2009: Same-sex marriage starts in Iowa.

April 29, 2009: HB436 supporting same-sex marriage passes the [New Hampshire Senate](#) with minor amendments.

May 6, 2009: Maine Governor Baldacci signs the Marriage Equality Bill. The [New Hampshire House of Representatives](#) concurs with the Senate's amendments to HB436, and the bill supporting same-sex marriage advances to Governor [John Lynch](#).

May 12, 2009: A same-sex marriage bill passes in the lower house [New York Assembly](#).

May 26, 2009: The California Supreme Court upholds [Proposition 8](#), but also upholds the marriage rights of the 18,000 same-sex couples married while same-sex marriage had been briefly legalized.

June 3, 2009: The [New Hampshire General Court](#) passes new HB73, which includes protections for religious institutions, as required by Gov. [John Lynch](#) to secure his signature on HB436, a bill legalizing same-sex marriage. Gov. Lynch signs both bills the same day.

September 1, 2009: Same-sex marriage starts in Vermont.

September 11, 2009: Same-sex marriage was supposed to start on this day in Maine, but is subject to a People's Veto.

October 2, 2009: A Texas judge rules the state's same-sex marriage ban unconstitutional while presiding over the divorce proceedings for two gay Texans married in Massachusetts, clearing the way for both Texas's first same-sex divorce and a legal challenge to the same-sex marriage ban.^[113]

October 11, 2009: California Governor Arnold Schwarzenegger signs into law recognition of out-of-state same-sex marriage.^{[114][115]}

November 3, 2009: The same-sex marriage law passed in Maine is repealed through a popular referendum, with 53% in favor of repeal.^{[12][116]}

December 1, 2009: The Council of the District of Columbia passes same-sex marriage bill 11-2 in its first vote. The bill must pass a second vote on December 15 before it can go to Mayor Adrian Fenty for signature. Barring interference by the United States Congress within thirty legislative days after Mayor Fenty signs the bill, DC will allow same-sex marriage.^[117]

December 2, 2009: Same-sex marriage legislation is defeated 38–24 in the New York State Senate.^[118]

December 15, 2009: District of Columbia City Council passes same-sex marriage bill 11-2 in its second vote. The bill was signed by Mayor Fenty on December 18, 2009.^[119]

January 1, 2010: Same-sex marriage starts in New Hampshire and all out-of-state same-sex marriages are given the benefits of marriage under California law, although only those performed before November 5, 2008 are granted the designation "marriage".^[120]

February 24, 2010: Maryland's attorney general issues an opinion requiring the state to recognize same-sex marriages performed in other states.^[121]

March 3, 2010: Same-sex marriage starts in Washington, D.C.^[122]

July 8, 2010: Judge Joseph Tauro of the District Court of Massachusetts held in two related cases (Gill v. Office of Personnel Management and Massachusetts v. United States Department of Health and Human Services) that the denial of federal rights and benefits to lawfully married same-sex couples in Massachusetts under the Defense of Marriage Act is unconstitutional under the Fifth and Tenth Amendments to the U.S. Constitution.^{[8][9]}

August 4, 2010: California's Proposition 8 is overturned by United States District Judge Vaughn R. Walker as an unconstitutional violation of the Fourteenth Amendment's Due Process and Equal Protection clauses.

August 31, 2010: The Fifth Court of Appeals in Dallas, Texas reverses a 2009 ruling in a same-sex divorce case, ruling that the Texas constitutional ban on same-sex marriage does not violate the Equal Protection

Clause of the Fourteenth Amendment. The court further rules that district courts in Texas do not have subject-matter jurisdiction to hear a same-sex divorce case.^[123]

October 12, 2010: The Department of Justice appealed against Tauro's July 8 decision (see above).^[124]

February 23, 2011: The Obama Administration announced its determination that discrimination based on sexual orientation is subject to heightened scrutiny and when judged by that standard is unconstitutional. It will continue to enforce DOMA's provisions, will no longer defend challenges to the constitutionality of section 3 of DOMA in court, and will cooperate with the courts if Congress decides to assert its right to defend DOMA's constitutionality in court.^[125]

March 4, 2011: Speaker of the House John Boehner announced he would exercise Congress's right to defend DOMA's constitutionality in court by convening a bipartisan legal advisory group tasked with "initiating action by the House to defend this law."^[126]

The moment of the Marriage Equality Act vote which brought same-sex marriage to New York, in the balcony of the state capital building, the evening of July 24, 2011

June 24, 2011: The New York State Senate passed a bill legalizing same-sex marriage by a vote of 33-29. The bill was signed by Governor Andrew Cuomo and became law.^[16]

July 24, 2011: Granting of same-sex marriages begins in New York.^[127]

August 1, 2011: Washington state's Native American Suquamish tribe approves granting same-sex marriages.^[128]