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Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

Date June 28, 2013 ACL 13-16

TO: COUNTY CLERKS
COUNTY RECORDERS

SUBJECT: RULING BY THE U.S. SUPREME COURT REGARDING SAME-SEX
MARRIAGES

On June 28, 2013, the U.S. Court of Appeals for the Ninth Circuit dissolved the stay of the order enjoining enforcement of Proposition 8. As explained in the notice dated June 26, 2013, this order applies to all 58 county clerks and county recorders. This means that same-sex marriage is again legal in California.

Effective immediately, county clerks shall issue marriage licenses to same-sex couples in California.

People who are currently in a State Registered Domestic Partnership (SRDP) may be issued a marriage license if the parties to the SRDP and the parties to the marriage are the same (Family Code Section 298.5) and the parties are not already legally married to one another in another jurisdiction.

Same-sex couples legally married in another jurisdiction will be considered already legally married under California marriage licensing and certification laws and they should not be issued a new marriage license. Family Code sections 301, 302, and 500 allow only unmarried persons to marry in California.

If you have any questions regarding this matter, please contact the Birth and Marriage Registration Section at (916) 445-8494.

Original signed by:

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State Registrar
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