



**State of New Jersey**  
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BULLETIN 07-04

TO: ALL INTERESTED PARTIES  
FROM: STEVEN M. GOLDMAN, COMMISSIONER  
RE: CIVIL UNIONS (P.L. 2006, c. 103)

The "New Jersey Civil Union Act," P.L. 2006, c. 103 (the Act), was enacted December 21, 2006 and becomes effective February 19, 2007. The Act provides that "civil union couples shall have all of the same benefits, protections and responsibilities under law, whether they derive from statute, administrative court rule, public policy, common law or any other source of civil law, as are granted to spouses in a marriage." The Act also provides a list of some of the benefits, rights and responsibilities civil union partners and marital spouses have in common, including "laws relating to insurance, health and pension benefits."

The purpose of this Bulletin is to address some of the following inquiries that the Department has received regarding the Act.

- Beginning February 19, 2007, all plans that include dependent coverage should be amended or administered to provide coverage to civil union couples. Coverage should not be deferred until the plan renewal date. Carriers should provide an opportunity to employees to make an election to cover a dependent acquired through a civil union on or after February 19, 2007 in the same manner as the opportunity would be provided to cover a dependent acquired through a marriage.
- The Act does not alter federal law, which only confers marriage rights and privileges to opposite-sex married couples (See 1 U.S.C.A. §7, defining marriage, under Federal Defense of Marriage Act, as "legal union between one man and one woman.")
- A contract that covers spouses will, as of February 19, 2007, cover civil union partners. For example, a group life contract that allows a covered employee to elect

to buy life insurance or coverage for their spouse must be read as allowing an employee with a civil union partner to purchase coverage for the partner.

- Unlike the Domestic Partnership Act which afforded employers an option to elect whether to add coverage for domestic partners, the New Jersey Civil Union Act does not afford that same option. The Act states that “civil union couples shall have all of the same benefits, protections and responsibilities under law, whether they derive from statute, administrative court rule, public policy, common law or any other source of civil law, as are granted to spouses in a marriage.”
- Insurers should seek guidance regarding the Act from their legal counsel.
- The Department notes that on February 5, 2007, the Small Employer Health Benefits Program issued an Advisory Bulletin 07-SEH-01 regarding Civil Unions.

This bulletin can be accessed at

[http://www.state.nj.us/dobi/ihcseh/blt07\\_seh\\_01.pdf](http://www.state.nj.us/dobi/ihcseh/blt07_seh_01.pdf)

2/9/07  
Date

/s/ Steven M. Goldman  
Steven M. Goldman  
Commissioner

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