

CITY OF RENSSELAER

LOCAL LAW NO. 7 OF THE YEAR 2024.

**A Local Law to Create Chapter 90 of
the Code of the City of Rensselaer
Relative to Domestic Partnerships**

Be it enacted by the Common Council of the City of Rensselaer as follows:

ARTICLE I. INTENT

This Local Law shall be known as Local Law No. 7 of 2024, and shall create Chapter 90 of the Code of the City of Rensselaer relative to Domestic Partnerships. The purpose of this Local Law is to allow the filing of Domestic Partnership documents as allowed under the Laws of the State of New York.

ARTICLE II. LEGISLATIVE ACTION

The Common Council of the City of Rensselaer, New York, hereby creates Chapter 90 of the Code of the City of Rensselaer, New York, so as to read as follows:

§ 90-1. Creation of domestic partnerships.

- A. Any two individuals may execute and file with the City Clerk a statement of domestic partnership in which each individual as to him or herself declares the following:
- (1) The individuals are at least 18 years of age.
 - (2) The individuals are competent to enter into a contract.
 - (3) The individuals are not married in any jurisdiction.
 - (4) The individuals currently live together and have lived together continuously for at least six months immediately prior to filing the statement.

- (5) The individuals intend to continue to live together.
- (6) The individuals are committed to the physical, emotional and financial care and support of each other.
- (7) The individuals are financially interdependent.
- (8) The individuals share with each other the common necessities and tasks of one household.
- (9) The individuals have represented to people outside their domestic partnership that they are domestic partners.
- (10) The individuals are each other's sole domestic partner, and each has no other domestic partner.
- (11) The individuals intend to remain each other's sole domestic partner.
- (12) The individuals have not terminated a statement of domestic partnership, or its equivalent in this or another jurisdiction, within six months immediately prior to filing the statement.
- (13) The individuals are not related by blood in a manner that would bar marriage under the Laws of the State of New York.

- B. A statement of domestic partnership shall be executed before the City Clerk or a designee by both individuals under oath and penalty of perjury as to each of its declarations and shall be subscribed by the Clerk or a designee. The City Clerk may require documentary evidence or testimony under oath in support of one or more of the declarations, pursuant to regulations promulgated by the City Clerk in consultation with legal counsel.
- C. A statement of domestic partnership shall be executed on a form provided by the City Clerk and shall be effective as of the date of its filing.
- D. A statement of domestic partnership which contains a false or fraudulent declaration by either of the individuals executing it shall not be effective notwithstanding its filing by the City Clerk and shall be voided by the City Clerk; provided, however, that the City Clerk shall not void a statement of domestic partnership without first providing the individuals who executed it notice of the alleged false or fraudulent declaration and an opportunity to explain or rebut the allegations, pursuant to regulations promulgated by the City Clerk in consultation with legal counsel.

§ 90-2. Termination of domestic partnership.

A. Either individual in a domestic partnership may terminate the domestic partnership by executing and filing with the City Clerk a termination of domestic partnership in which the individual declares the following:

- (1) The domestic partnership has been terminated and the individuals are no longer living together.
- (2) The individual terminating the domestic partnership has notified the other domestic partner of the termination in writing.
- (3) Written notice of the termination has been received by the other domestic partner at least 30 days immediately prior to the filing of the termination of domestic partnership.

B. A termination of domestic partnership shall be executed before the City Clerk or a designee under oath and penalty of perjury as to each of its declarations and shall be subscribed by the Clerk or a designee. The City Clerk may require documentary evidence or testimony under oath in support of one or more of the declarations, pursuant to regulations promulgated by the City Clerk in consultation with legal counsel.

C. A termination of the domestic partnership shall be executed on a form provided by the City Clerk, and shall be effective as of the date of filing.

D. A termination of domestic partnership which contains a false or fraudulent declaration by the individual executing it shall not be effective notwithstanding its filing by the City Clerk and shall be voided by the City Clerk; provided, however, that the City Clerk shall not void a termination of domestic partnership without first providing the individual who executed it notice of the alleged false or fraudulent declaration and an opportunity to explain or rebut the allegation, pursuant to regulations promulgated by the City Clerk in consultation with legal counsel.

E. A domestic partnership shall terminate, and be deemed null and void, whenever one of the parties to the partnership marries.

§ 90-3. Fees.

The City Clerk shall charge a fee of \$40 for the filing of a statement of domestic partnership or a termination of domestic partnership. Payment of the fee shall entitle the payor to one certified copy of the document. The City Clerk shall charge a fee of \$15 for providing an additional certified copy of either document.

§ 90-4. Records.

The City Clerk shall maintain a log of statement of domestic partnership and termination of domestic partnership by name of each individual and date of filing in a format designed to facilitate access to such statements. The log shall be a public record pursuant to the Freedom of Information Law. The City Clerk shall treat any other information of a personally identifying nature relating to an individual as a matter of personal privacy exempt from disclosure under such law.

ARTICLE III. EFFECTIVE DATE

This Law shall take effect immediately upon its filing with the Office of the New York State Secretary of State.