

Lesbian, Gay, Bisexual, Transgender (LGBT) Ballot Issues

Marriage Amendment #43

The first initiative on the upcoming ballot that concerns the LGBT community is the Marriage Amendment, which proposes to add an amendment to the Colorado Constitution stating that only the union of one man and one woman shall be valid or recognized as a marriage in Colorado. This initiative strictly defines marriage as a union between one man and one woman. Therefore, it is essentially a constitutional ban of same-sex marriage. Currently, same-sex marriage is already prohibited in Colorado under state law. If passed, this initiative would simply add this same marriage ban to the Colorado Bill of Rights.

The ACLU of Colorado opposes this initiative as it further discriminates against same-sex couples, unjustly excluding them from the basic benefits that all opposite-sex couples currently enjoy in the United States. In addition, this amendment would promote discrimination in our state Constitution, a document that is supposed to grant and protect the fundamental rights and responsibilities of all individuals, rather than deny them.

Referendum I: Domestic Partnership Benefits and Responsibilities Act

The Colorado House of Representatives referred the Domestic Partnership Benefits and Responsibilities Act to the voters on the November 2006 ballot. LGBT activists and supporters proposed Referendum I in response to the marriage amendment. If passed, this referendum will provide eligible same-sex couples the opportunity to obtain the benefits, protections, and responsibilities afforded by Colorado law to spouses by way of a domestic partnership. It will provide same sex couples with many, but not all, of the protections and responsibilities that the state now provides to married couples. These benefits would include rights to hospital visitation, health care and pension benefits, property, and inheritance, all of which would provide same-sex couples a greater degree of economic and health security.

Some individuals argue that, if passed, this referendum would seriously undermine the institution of marriage. Yet a domestic partnership is not a marriage, rather it is a registered civil contract between committed same-sex couples that does not involve any church or religion.

The ACLU of Colorado supports this referendum as it is specifically intended to remedy the unfair legal disparities that currently exist between committed same-sex couples and straight couples. Granting same-sex couples the benefits of domestic partnership is an important step in the fight to end discrimination based on sexual orientation.

If you would like to learn more about these ballot issues and other topics concerning the LGBT community please visit Coloradoans for Fairness and Equality on the web at fairnessandequality.org.