

# UNEQUAL UNDER THE LAW

515 WAYS MINNESOTA LAWS DISCRIMINATE AGAINST COUPLES AND FAMILIES.

“The future which we hold in trust for our own children will be shaped by our fairness to other people’s children.” –Marian Wright Edelman

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Nearly eight out of 10 Minnesotans said they think government should treat people no differently because of their sexual orientation, according to a 2006 statewide survey.<sup>1</sup> The survey also found that almost 70 percent of Minnesotans said they believe “gays and lesbians should have the same rights and responsibilities as everyone else.”

Yet, Minnesota’s laws aren’t living up to Minnesotans’ expectations. At least 515 state statutes provide rights and assign responsibilities to couples based on marriage. As a result, these laws exclude domestic partners who aren’t married, even if they have made lifelong commitments. For gay and lesbian couples, of course, marriage isn’t a legal option.

Among those who suffer most from the discrimination in Minnesota’s laws are children and other family members of these committed couples.

This represents a significant gap between the fairness Minnesotans value and what actually occurs under Minnesota law. That’s why a group of Minnesotans from all walks of life have come together as Project 515 and commissioned this research. Project 515 prepared this study to initiate discussion and help Minnesotans understand that all committed couples in the state deserve to be treated fairly.

First and foremost, this is a report about people – not politics. Neither Project 515 nor this report is advocating for the legal recognition of same-sex marriage. Instead, this list of laws, and the stories illustrating the very real harm these laws inflict on families and communities, are meant to broaden understanding about the importance of fairness and equality before the law. They also provide encouragement to lawmakers to seek fairness in all state statutes.

Project 515 also recognizes that in leaving out many committed couples, some state laws offer unmarried couples freedom from the obligations and responsibilities placed upon married couples. Project 515 believes that for true equality and fairness in the eyes of the law to become a reality, all committed couples must share similar obligations and responsibilities. This will only make Minnesota families and communities stronger.

Many Minnesotans believe that committed same-sex couples and unmarried domestic partners can gain the rights and protections denied them by these discriminatory laws by signing legal documents and contracts. This simply is not true. Even if couples are willing to go to the expense of obtaining legal counsel, most of the rights and responsibilities automatically provided to married couples cannot be replicated by signing legal documents or contracts. That’s the law.

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### UNFAIRNESS EVEN HURTS THOSE TOO YOUNG TO CARE FOR THEMSELVES

Emily was covered by her partner’s insurance, according to Minnesota State Employees domestic partner benefits. She returned to school full time to pursue her doctorate degree and then gave birth to the couple’s first child in 2003.

Unable to return to work because of pregnancy-related illness, Emily was horrified to learn that elimination of domestic partner benefits from the state’s insurance policy was being proposed as a budget-balancing solution. Not only was Emily forced to find coverage for herself, the couple’s son was not covered until the second parent adoption was completed five months following his birth.

“I don’t think most Minnesotans want to live in a state in which the health benefits of a working couple and their family are sacrificed for budget balancing,” said Emily. “If the state wants to compete with other major employers for the best people, it needs to offer benefits comparable to what Minnesota companies are providing.”

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“We are constantly amazed at the hurdles that are placed in the way of couples who do not have the benefit of marriage. I’m not sure we would have the perseverance and patience to continually fight for the most basic rights that are automatically afforded to people with a marriage certificate.”

–Janet and David Berry

<sup>1</sup> 2006 statewide public opinion survey sponsored by Equality Minnesota and conducted by Decision Resources Ltd. of Minneapolis, MN.

## STATE LAWS: UNEQUAL IN SO MANY WAYS

Equality- and fairness-seeking Minnesotans may be surprised about how extensively state laws affect their gay and straight family members, friends, and coworkers who are in long-term, committed relationships.

Some Minnesota laws affect couples during illness. For example:

- The family members of a patient in a public facility have the right to be notified if the patient is moved or if the patient's care has changed. These facilities are not required, however, to notify the same-sex partners of patients. (Section 246.70)
- The spouse of a hospital patient is the first person a physician would consult if the patient were unable to consent to treatment. The same-sex partner of a patient is not included at all on the list of people who may provide consent for treatment. (Section 253B.03) In some cases, same-sex partners might not even be allowed to visit a partner in the hospital, even with legal paperwork describing the couple's wishes.
- An individual seeking an accessible place for a disabled family member to rent has first priority. Lifelong but unmarried partners of disabled people cannot exercise the same priority on behalf of their partners. (Section 363A.40)

Some laws affect couples' abilities to prepare for the future. For example:

- Health or accident insurance policies may cover two people, as long as the second person is a spouse or a dependent. However, a same-sex partner does not have a statutory right to be included in a joint insurance policy. (Section 62A.03)
- School districts are directed to set up early-childhood family education programs that give parents and other relatives tools to promote childhood development. Committed partners who will likely share parenting responsibilities are not included in these programs because they are not considered relatives. (Section 124D.13)

70 percent of Minnesotans said they believe "gays and lesbians should have the same rights and responsibilities as everyone else."

## SOMETIMES PLANNING AND LEGAL WORK STILL AREN'T ENOUGH

Tim Reardon is a prudent man. When he and his partner Eric decided to have a child through a surrogate, they made certain all the legal documents were in order.

They already had a partnership agreement, executed before their commitment ceremony in 2001. They had drafted powers of attorney, health-care directives, and every document they could within the restrictions of the law to be certain their relationship to one another and their future children was clear and protected.

Yet when Tess was born in 2003, Tim and Eric waited for a year to get a Judge's order for a birth certificate because the state insisted on DNA testing for proof of paternity. The cost, both monetary and emotional, was enormous.

Adding to the emotional burden was a serious health challenge. Three months after Tess' birth, Eric was diagnosed with a brain tumor that later was determined to be malignant. The family life Tim and Eric had dreamed of was suddenly thrown into chaos. Tim and Eric returned to their attorney to be certain their paperwork was in order. It had become imperative that Tim was clearly named the person to "call the shots" upon Eric's death.

Four years later, when Eric was to go from the hospital to a hospice residence, a social worker collected a financial eligibility screening to determine if Eric was eligible for memorial funds to offset the cost of the hospice residence not covered by either insurance or Medicaid. The hospital business office wanted to include Tim's earnings in the calculation of "household income." "They wanted to recognize our relationship when it was financially in their best interest," Tim said. Tim refused. Yet when Eric died a short time later, Tim was informed that the medical examiner would not recognize Tim's relationship to Eric.

To make matters worse, the cremation society did not consider Tim next of kin, with the right to make decisions about Eric's remains even though Tim showed administrators a power-of-attorney document, a health-care directive and Eric's will all clearly naming Tim as the decision-maker. Only with the consent of Eric's mother and father was Tim ultimately allowed to sign the cremation society paperwork.

"I felt so violated and angry that at this most vulnerable moment of life, they would not acknowledge our relationship," Tim said. "All our planning didn't mean anything to these people. Eric's wishes didn't mean anything. This never would have happened to a legal spouse.

"All it takes is one challenge from a person with an issue or different belief system, and the cost to us, in money, time and emotions is enormous – because we have no recourse in the legal system," Tim continued. "It is unconscionable that when personal decisions need to be made, no matter how much we have planned, we cannot legally make them because of who we love."

Other laws affect committed couples in their professional lives. For example:

- The spouse of a corporate board member is presumed authorized to vote on behalf of the corporate member. However, long-term partners cannot vote on behalf of their partners. [Section 308A.635]
- Under the Minnesota Franchise Act, when the owner of a motor fuel franchise dies, the owner's spouse or another family member who has the right to inherit the business may assume ownership of the franchise. However, the same is not true of a same-sex partner who has lived with the owner for decades. [Section 80C.145]
- A surviving spouse has a continued right to the agricultural property tax classification. But the same is not true for a domestic partner who has also farmed the property for years. [Section 273.111]

Some laws affect couples' safety or how they are treated during times of tragedy. For example:

- When a parole board makes decisions about the release of felons convicted of first-degree murder, it considers input from the "victims," which include surviving spouses. However, same-sex partners are not recognized as victims. [Section 243.05]
- Spouses are entitled to workers' compensation benefits if their spouse is killed at work. However, a long-term but unmarried partner is not allowed to receive similar benefits. [Section 176.111]
- If victims are killed during crimes, their families are entitled to restitution. Same-sex partners are not considered family under the law, and therefore cannot receive restitution. [Section 611A.01]
- A person has the right to take an unpaid leave of absence from work if a spouse is injured or killed during active military duty. A domestic partner is not allowed the same opportunity. [Section 181.947]

Some state laws affect couples politically. For example:

- Someone who is married to a member of the military has the right to vote by absentee ballot. A same-sex partner of a member of the military does not, however. [Section 203B.02]
- Minnesotans may submit their spouses' campaign donations. However, people who have been in a relationship for decades cannot submit campaign donations on behalf of their partners. [Section 211A.12]

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## IT'S NOT ABOUT BENEFITS, BUT ACCEPTANCE

Dave Engstrom wants what any parent desires for their children — equality and fairness.

But he's frustrated that his 29-year-old lesbian daughter can't count on receiving the equal and fair treatment his married daughter or his 17-year-old son may take for granted.

"I'm very protective of all of my kids," Dave said. "You'd like them to get a fair shot and equal treatment on everything, and I know she doesn't."

Recently, Dave's daughter began working for a company that offers health benefits to domestic partners. His daughter, who is in a committed relationship, was thrilled to find an employer that considers her as valuable as its other employees.

"It's not so much the benefits, but the acceptance," Dave said. "I'm happy she has a good, stable relationship. She needs someone just as everyone does. It's difficult to go through life alone."

Dave has been married for 31 years and currently lives in Afton, Minn., with his wife and son. He has served as City of Afton mayor and was a two-term Washington County commissioner. As commissioner, he served on the county's social services advisory committee.

"Over and over again, you'd see that preventative funding is always the best," Dave said. "When you can support stable relationships and families, it benefits everybody long-term. But when you go through life alone or you're being discriminated against, there are more problems and you need more help, but you can't get it because state law may prohibit it."

Dave is currently a lobbyist at the state capitol and thinks it is "outrageous" and "shocking" that so many state laws exclude committed and long-term partners. "Just hearing that number has enlightened me and will cause me to consider in my own work how future laws affect people and their relationships," he said. "Hopefully this report will highlight those laws that should be straightened out or eliminated."

"There should be no discrimination, whether people are same-sex or opposite-sex partners," Dave continued. "As a parent of a lesbian daughter, I want what I expect for all three of my children: equality and fairness, whether they're gay, lesbian or straight."

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Most of the rights provided to married couples cannot be replicated by signing legal documents or contracts. That's the law.

Many Minnesota laws affect couples even after death. For example:

- Married people have the right to control the disposition of their spouses' remains. However, people who have made lifetime commitments to their partners have no similar right. [Section 149A.80]
- The coroner is allowed to give clothes and other personal property of limited value to the spouse or any blood relative of the person who has died. The coroner is not allowed, however, to release these items to a same-sex partner. [Section 525.393]
- The surviving spouse of a law enforcement officer killed in the line of duty may receive a payment of \$100,000. The same benefit is not available to the committed but unmarried partner of a law enforcement officer killed during duty. [Section 299A.44]

And some laws seem archaic or trivial but highlight the extent of Minnesota's system of laws. For example:

- Farmers may slaughter their poultry to feed their immediate family members without getting a food handler's license. Same-sex partners are not legally considered family members. As a result, farmers need a special license to slaughter their poultry for their same-sex partners. [Section 31.56]
- Holders of licenses to hunt deer on their own land may transfer those licenses to their spouses. But it is not legal for hunters to transfer their licenses to a partner they have lived with for years. [Section 97A.441]
- A combined fishing license exists for spouses. However, no joint license exists for an unmarried but committed couple. [Section 97A.475 Subd 7(6)]

## MINNESOTANS HAVE AN INTEREST IN FAIRNESS

Minnesotans feel strongly about fairness and equality for gay and lesbian individuals because they are people they know and love. They are family members, friends, coworkers, neighbors, and community and business leaders. For most Minnesotans, their strong feelings about fairness and equality do not change when gay and lesbian individuals become committed couples.

According to the 2006 Equality Minnesota survey, 52 percent of Minnesotans said they personally know or work with someone who is lesbian or gay and 40 percent said they have a close friend or relative who is lesbian or gay.

More and more of these gay and lesbian Minnesotans are choosing partners with whom to share their lives. The 2000 U.S. Census reported more than 9,000 Minnesota households that identified as same-sex partner households. The Williams Institute on Sexual Orientation at the UCLA

School of Law indicated that the largest percentage jump in reported same-sex couples from 2000 to 2005 occurred in the Midwest. Minnesota is one of the top 10 states with the largest percentage increase in reported same-sex couples. The reality is that these couples and families exist and will continue to exist, regardless of how others feel about them. However, families are unnecessarily and unfairly being hurt by current law.

Minnesotans also recognize the important roles their gay and lesbian friends and family members play in the state. By a margin of 55 percent to 12 percent, Minnesotans said they think "gay and lesbian people have made a positive contribution to Minnesota," according to the Equality Minnesota survey. And those who know someone who is lesbian or gay are much more likely – 73 percent more likely – to feel this way.

So why shouldn't state law consider them equal to other Minnesotans?

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## TRYING TO TEACH LIFE'S LESSONS TO OUR CHILDREN

When Lisa, Susan and their six-year-old daughter Paige moved to a new city, they chose to bank with Susan's employee credit union. Wanting to teach their daughter good savings habits, they took Paige with them to open their new accounts and chose to establish one for Paige.

Lisa and Susan completed the required banking forms and were then informed that they could not open a joint account because they were not married. In addition, they could not open an account for Paige, they were told, because Lisa, not Susan, was Paige's legal parent.

This credit union carried the employer's name, logo and colors in their signage and advertising. The employer had a strong nondiscrimination policy, and about 20 percent of its employees were not heterosexual. Yet, when Lisa and Susan protested, they were informed that the banking policies were set by the credit union board of directors — not the employer.

To set a good example for Paige, Lisa met with the manager and voiced her concerns about the policies and the lack of alignment with the employer. She expressed her disappointment and humiliation when the credit union rejected them and their daughter as clients.

After they left, Paige became very angry and frustrated, holding on to her piggy bank and refusing to give anyone her money.

"Would this also be the policy if an employee who was a grandparent, aunt or uncle wanted to open an account for a child?" Lisa wondered. "If an employee wanted to open a joint account with a brother or sister, would they be refused?"

(While this story is true, the names of the people were changed at their request.)

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## EQUALITY IS GOOD FOR THE ECONOMY

More and more, the business community is heeding the call for greater equality and fairness – and noticing the economic benefits that result. Businesses recognize that they cannot change many of the factors that determine their corporate growth and stability. But they can support and treat their greatest asset – people – with respect and fairness.

According to the Human Rights Campaign (HRC), 2006 marked a major milestone for gays and lesbians and their families. For the first time, a majority of Fortune 500 companies offered health insurance and other benefits to domestic partners that mirrored those enjoyed for decades by their married colleagues. Most companies have also developed policies that prohibit workplace discrimination against gay and lesbian employees.

Of the Fortune 500 companies located in Minnesota, 89 percent have developed policies that ensure gay and lesbian employees do not encounter discrimination. And most have taken a step further to offer domestic partner benefits to their employees. The Minnesota companies leading in this way include 3M, Ameriprise Financial, Best Buy, Ecolab Inc., General Mills, Land O'Lakes, Northwest Airlines and Target Corp., among others.

Still more business leaders in the state and across the country are changing their policies to welcome gay and lesbian employees, support their relationships and families, and treat them just as they would any other employee. As a result, businesses are better able to find and keep the most qualified employees, and employees are more satisfied, loyal and likely to recommend their employers to others (November 2005 Gallup poll).

Not only does the public accept this practice, it encourages this leadership. In 1982, 59 percent of people who participated in a Gallup poll said that gays and lesbians should have equal rights in terms of job opportunities. In 2007, an overwhelming 89 percent agreed.

If equality and fairness are among the best policies for businesses large and small, why shouldn't they be policies central to our system of laws?

## WORKING TOWARD FAIRNESS AND EQUALITY

Despite Minnesotans' call for fairness and equality before the law, and despite the example of leading businesses in Minnesota and across the country, at least 515 Minnesota laws still fall short of treating all committed couples fairly.

Project 515 hopes this report and the stories contained within will initiate discussion, inform debate, and help all of us better understand how fairness and equality are worth working toward. Together, we can make Minnesota more stable, welcoming, economically healthy, and overall, a great place for all Minnesotans to live.

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### NAVIGATING THE INEQUALITY OF INSURANCE LAW

Shannon was pregnant with twins and fell so ill that she could no longer work. She was unable to qualify for insurance on her partner's insurance plan, so she applied for medical assistance, which was available only because she was pregnant. After the twins were born and her health returned, the couple more closely examined the domestic-partner benefits available through the employer of Shannon's partner.

Benefits were available to Shannon and to the children, but the costs were extremely high. Not only would the amount paid for Shannon's coverage be taxable, but the employer's contribution would have been taxable as well. In addition, the plan considered the children Shannon's, so taxes would have been withheld on contributions for their insurance coverage, too. The combination of costs made it impossible for Shannon and her partner to afford.

Their only recourse would have been for Shannon's partner to file an affidavit at the end of each year to prove the children were legally hers. Even then, they would not have received the tax money reimbursement until they filed their taxes the following year.

#### The solution?

"Only the children are covered," Shannon said. "If I am not on the plan, they consider the children to be legally hers, as the employee. No proof required. If we were married, no one would question if the children were legally my partner's."

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Families are unnecessarily and unfairly being hurt by current law.

## METHODOLOGY

The data used in this report was compiled between February and April 2007 and represents a snapshot in time. The laws included here were collected from a series of keyword searches of Minnesota Statutes 2006 conducted on the State of Minnesota Office of the Revisor of Statutes web site. The search terms included married, marriage, marital, spouse, husband, wife, immediate family, family member and relative.

Each statute found with any of the search terms was compiled into a list and evaluated to determine whether the statute provided a right or obligation to married people. All relevant statutes were included in this report of 515 statutes.

It is important to acknowledge that the keyword search did not reveal every statute that gives rights, benefits or obligations to married people. Statutes that did not include search terms were left out of this report despite their possible relevance. In addition, many statutes use specialized terms to refer to a married couple or a family unit. For example, the term “heirs” is defined in the probate law to include the surviving spouse of the person who died. Because “heirs” was not one of the search terms, some of those statutes may have been omitted.

## ACKNOWLEDGMENTS

Project 515 wishes to thank all of the people who contributed so much to this report. Among them are Mathea Bulander, a law student at William Mitchell College of Law and volunteer with the Minnesota Justice Foundation, who conducted the keyword searches and was primarily responsible for organization and initial analysis of the statutes; Michael Pasnik and Lee Anderson, local attorneys who reviewed each statute; Professor Anthony Winer of the William Mitchell College of Law, whose insights and analysis were invaluable; Phil Duran of OutFront Minnesota, who shared his compilations of similar statutes and evaluated this work; and Jane Bowman, a William Mitchell College of Law student who assisted in the final analysis and organization of statutes.

## REFERENCES:

Project 515 is a 501(c)(4) organization with a specific, achievable goal: to ensure that same-sex couples and their families have equal rights and consideration under Minnesota law.

The Equality Minnesota survey was developed and administered by Dr. Bill Morris of Decision Resources Ltd., a Minneapolis-based research firm noted for its polling expertise related to civic issues and public affairs, especially in outstate Minnesota. Morris, president of the firm, is the former chair of the Republican Party in Minnesota.

Equality Minnesota, a Minnesota nonprofit organization, supports the rights of same-sex couples in the state through the use of nonpartisan, public policy research and communications.

## FIGHTING TO KEEP ONE'S HOME

Jane's partner, Carol, was diagnosed with a terminal illness late in 2004. By the time the disease had progressed to the point that Carol required full-time care, she had already spent most of her assets on medical bills. Carol applied for and was placed on medical assistance, which provided her with around-the-clock care in the final months of her life.

Following Carol's death, the state placed a lien on her home — the home she had shared with Susan for more than 15 years. By law, the state had the legal power to enforce the lien and recover the money it spent for Carol's medical expenses. Jane was faced with the prospect of selling her home to pay off the state.

However, had Jane and Carol been married, Minnesota law would have protected the home. Current law provides that the state cannot enforce a medical assistance lien on the home of the person who received aid if the person's spouse still lives in the house. In these cases, the state must wait until after the spouse has died before it can recoup money from the home's equity.

(While this story is true, the names of the people were changed at their request.)

A majority of Fortune 500 companies offer health insurance and other benefits to domestic partners.



## 515 MINNESOTA STATUTES THAT DISCRIMATE AGAINST COMMITTED DOMESTIC PARTNERS INCLUDING SAME-SEX COUPLES

### BUSINESS OCCUPATIONS AND PROFESSIONS

No.	MINN. STAT. §
<b>1</b>	221.151
<p>Certain transportation permits may be transferred to the permit holder's spouse, and no permission of the courts is required. <b>The same permits cannot be transferred to the same-sex partner of the permit holder.</b></p>	
<b>2</b>	221.296
<p>A motor carrier permit may be transferred to the permit holder's spouses and no permission of the courts is required. <b>The same permit cannot transfer to the same-sex partner of the permit holder.</b></p>	
<b>3</b>	245A.03
<p>A day-care provider or other supervision specialist must have a license unless caring for relatives. <b>Same-sex partners are not considered relatives and can be required to obtain a license to care for relatives.</b></p>	
<b>4</b>	326.3382
<p>An applicant for a private detective or protective agent license must provide references who are not related by blood or marriage. <b>An applicant can avoid this obligation and provide his or her same-sex partner as a reference.</b></p>	
<b>5</b>	326.85
<p>The Builders Advisory Council shall have one public member, which may not include the spouse of any member of the profession being licensed or regulated. <b>The same-sex partner of a member of the profession qualifies as a public member and can avoid this obligation.</b></p>	
<b>6</b>	82.22
<p>A real estate broker or agent must disclose in writing if he or she works for a relative in a real estate transaction. <b>No disclosure is required if the broker or agent is working for a same-sex partner.</b></p>	

No.	MINN. STAT. §
<b>7</b>	82.43
<p>Compensation from real estate, education and research funds are not available to spouse of a fraudulent actor. <b>The same-sex partner of the fraudulent actor may avoid this obligation.</b></p>	
<b>BUSINESS REGULATIONS</b>	
<b>8</b>	116J.876
<p>A borrower, under the capital access program (a program to foster development of small to midsize businesses) of the Department of Employment and Economic Development, cannot be an officer of the lending organization or a member of the officer's "immediate family." <b>"Immediate family" is not defined in this chapter, but the term is commonly defined to include spouses (see Black's Legal Dictionary) and not same-sex partners; therefore a same-sex partner is not restricted under this section.</b></p>	
<b>9</b>	149A.70
<p>A funeral director may not directly solicit persons with the power to make decisions regarding the disposition of a body unless the funeral director is related to the person solicited either by blood marriage or adoption. <b>A funeral director may not solicit his or her same-sex partner regarding funeral services.</b></p>	
<b>10</b>	161.315
<p>If an individual's business is not eligible to receive public contracts from the Department of Transportation, the business remains ineligible if the business is transferred to a spouse or other "relative." <b>The same is not true if the business ownership transfers to a same-sex partner.</b></p>	
<b>11</b>	51A.065
<p>When a corporation changes its structure from mutual to capital stock, no officers, directors or employees nor their spouses, may purchase remaining unsubscribed stock if the purchase would result in ownership of one percent of the capitol stock. Stock that is purchased by a spouse may not be sold <i>inter vivos</i> (between living persons) for two years. <b>No similar restriction applies to purchases by the same-sex partner of an officer, director or employee.</b></p>	

COMMERCIAL LAW	
No.	MINN. STAT. §
<b>12</b>	325F.662
General warranty requirements do not apply when a dealer sells a leased or used vehicle to a lessee or lessee's family member. <b>The warranty requirements do apply if the dealer sells to the same-sex partner of the lessee.</b>	
No.	MINN. STAT. §
<b>13</b>	325F.692
A telephone service subscriber is not responsible for information service charges for calls made by minors or vulnerable adults as defined in Minn. Stat. § 626.5572, subdivision 21, unless expressly authorized by the subscriber or subscriber's spouse. <b>The same-sex partner of the subscriber can't authorize these calls.</b>	
No.	MINN. STAT. §
<b>14</b>	325G.041
A married woman may direct whether her current or former surname is on a financial transaction card. <b>If a female same-sex partner changes her name to that of her partner, there is no similar right.</b>	
No.	MINN. STAT. §
<b>15</b>	325G.042
An individual may rely on his or her spouse's credit score to qualify for a loan granted to the two as a couple. <b>A same-sex partner does not receive this benefit and must rely on his or her own individual credit scores when qualifying for a loan.</b>	
No.	MINN. STAT. §
<b>16</b>	336.9-615
The amount of a surplus or deficiency determined when collateral is sold to repay a debt must consider whether the person purchasing the collateral is a spouse. Also, under Minn. Stat. § 336.9-602, this right may not be waived. <b>A same-sex partner could purchase collateral and not affect the calculation of a surplus or deficiency, resulting in a potential financial gain.</b>	
No.	MINN. STAT. §
<b>17</b>	550.37
Wedding rings or other religious or culturally recognized symbols of marriage exchanged by a couple cannot be garnished for a debt of one of the spouses. <b>Rings exchanged by a same-sex couple can be garnished.</b>	

No.	MINN. STAT. §
<b>18</b>	80A.41
Spouses are not included in the definition of "purchaser" as that term is used in Chapter 80A and therefore are not protected by securities regulation. <b>Same-sex partners are considered regular purchasers of securities and are protected.</b>	
CORPORATIONS AND ASSOCIATIONS	
No.	MINN. STAT. §
<b>19</b>	214.04
The spouse of an individual in a regulated profession is not a "public member" as used in Chapter 214, thus the spouse cannot serve on the professional board that regulates the married partner's profession. <b>A same-sex partner is not similarly excluded.</b>	
No.	MINN. STAT. §
<b>20</b>	216B.026
The spouse of a member or stockholder of an electric association may sign the petition and vote on behalf of his or her spouse. <b>The same-sex partner of a stockholder can't vote on behalf of his or her partner.</b>	
No.	MINN. STAT. §
<b>21</b>	216B.027
The specific rights granted to wholesale and retail electric cooperative stockholders in this statute are extended to the spouse of the stockholder. <b>No similar benefit is extended to same-sex couples.</b>	
No.	MINN. STAT. §
<b>22</b>	237.075
The spouse of a stockholder, customer or subscriber of a telephone cooperative or municipal telephone entity is granted certain voting rights by virtue of the marital relationship. <b>The same rights are not extended to a same-sex couple.</b>	
No.	MINN. STAT. §
<b>23</b>	302A.011
All related persons living in a home together, including spouses and relatives of spouse are together considered to be a "beneficial owner" or "associate" of a corporation for the purpose of this chapter if any of them own an interest in the corporation. <b>This type of ownership is not extended to same-sex partners who live together.</b>	

No.	MINN. STAT. §
<b>24</b>	302A.255
A corporation may not contract with a spouse of its directors, nor a brother, sister or children of any spouse; such action is considered a conflict of interest, the same as if the corporation contracted with the director personally. <b>Same-sex partners are not disqualified from similar contracts.</b>	
<b>25</b>	308A.635
The spouse of a corporate board member is presumed authorized to vote on behalf of the member. <b>The same-sex partner of the corporate board member cannot vote on his or her behalf.</b>	
<b>26</b>	308B.461
A transaction entered into by a Minnesota agricultural cooperative creates an impermissible conflict of interest if a director of the cooperative association has a material financial interest in the transaction. A director has a material financial interest in a transaction if the director's spouse, or the director's brother, sister, children or any of their spouses, has a material financial interest in the transaction. <b>The material financial interest of the same-sex partner of the director is not imputed to the director.</b>	
<b>27</b>	315.40A
A religious association may pay benefits to a surviving spouse if members authorize it. <b>The same benefit is not extended to the surviving same-sex partner of the decedent.</b>	
<b>28</b>	317A.255
A transaction entered into by a Minnesota nonprofit organization creates an impermissible conflict of interest if a director of the nonprofit organization has a material financial interest in the transaction. A director has a material financial interest in the transaction if the director's spouse or a brother, sister, children or any of their spouses, has a material financial interest in the transaction. <b>The material financial interest of the same-sex partner of the director is not imputed to the director.</b>	
<b>29</b>	317A.501
A nonprofit corporation cannot lend money or make guarantees on behalf of directors, or their spouse, parents, children, brother, sister or any of those individuals' spouses. <b>This statute does not prohibit lending money to the same-sex partners of any of the listed individuals.</b>	

No.	MINN. STAT. §
<b>30</b>	322B.666
A transaction entered into by a Minnesota limited liability corporation creates an impermissible conflict of interest if a governor of the limited liability company has a material financial interest in the transaction. A governor has a material financial interest in the transaction if his or her spouse, brother, sister, children or any of their spouses has a material financial interest in the transaction. <b>The same is not true if the contract is extended to the same-sex partner of any of the listed individuals.</b>	
<b>31</b>	80C.145
Under the Minnesota Franchise Act, upon the death of the owner of a motor fuel franchise, the spouse or other family member of the owner who has the right to inherit the business may assume ownership of the franchise. <b>A same-sex partner of the owner cannot assume ownership in the same manner.</b>	
<b>32</b>	80E.11
Upon the death or incapacity of the owner of a new motor vehicle dealership, the spouse or designated family member of the owner may succeed ownership by taking certain steps set out by the statute. <b>The same-sex partner of the owner of a new motor vehicle dealership doesn't have the same right to succeed their partner as owner.</b>	
<b>33</b>	80E.13
The manufacturer, distributor or factory branch of a new motor vehicle dealer does not have the right to refuse the sale of a dealership to a spouse, child, stepchild, grandchild, spouse of a child or grandchild, brother, sister, or parent of the dealer-owner. <b>The manufacturer, distributor or factory branch would have the right to refuse a sale to the owner's same-sex partner.</b>	
<b>34</b>	80F.03
Upon the death of the owner of a motor fuel franchise, the spouse or other family member of the owner may assume ownership of the franchise by taking certain steps set out by the statute. <b>A same-sex partner of the owner cannot assume ownership in the same manner.</b>	

COURTS AND JUDICIAL PROCEEDINGS	
No.	MINN. STAT. §
<b>35</b>	169.09
The surviving spouse of a married person killed in auto accident has the right to receive certain information from the commissioner of public safety because of their status as married persons. <b>Same-sex partners have no similar right in their relationships.</b>	
No.	MINN. STAT. §
<b>36</b>	3.736
A surviving spouse has the right to sue for wrongful death of their married partner. <b>The same-sex partner of a decedent does not have a similar right to bring a wrongful-death action.</b>	
No.	MINN. STAT. §
<b>37</b>	340A.801
The spouse of an individual who was intoxicated and was sold alcohol illegally by a purveyor of liquor has the right to sue the purveyor. <b>The same-sex partner of a similar individual does not have the same right to sue.</b>	
No.	MINN. STAT. §
<b>38</b>	340A.90
An individual has the right to sue a person who provides alcohol to a person under 21 if that minor injured the individual's spouse while intoxicated. <b>The same right of action is not extended to the same-sex partner of the injured person.</b>	
No.	MINN. STAT. §
<b>39</b>	357.021
If it can be shown that the surcharge imposed upon a person convicted of a crime by the court is a hardship on the family, then the payment may be made in installments. <b>A same-sex partner of a convicted person is not considered a family member entitled to payment accommodations.</b>	
No.	MINN. STAT. §
<b>40</b>	358.14A
A husband and wife do not have to make separate oaths or affirmations. <b>The same is not true for a same-sex couple.</b>	
No.	MINN. STAT. §
<b>41</b>	466.05
A surviving spouse has the right to sue a municipality for wrongful death of their deceased spouse. <b>The same-sex partner of a decedent does not have standing to bring a similar claim.</b>	

No.	MINN. STAT. §
<b>42</b>	540.09
The spouse of an individual who has deserted his or her family may bring legal actions in the deserted spouse's name. <b>The same is not true for a same-sex couple.</b>	
No.	MINN. STAT. §
<b>43</b>	548.36
Calculation of payments from insurance carriers (or other collateral sources) in a tort action include payments that the immediate family of the plaintiff have made in the past two years to secure benefits. <b>Contributions from a same-sex partner to secure benefits would not be included in the calculation.</b>	
No.	MINN. STAT. §
<b>44</b>	549.31
A transfer of a structured settlement payment is not allowed unless the court makes a finding that the transfer is in the best interest of the payee and the payee's dependents, as defined in Minn. Stat. § 549.30 to include a payee's spouse. <b>A same-sex partner does not receive similar protection.</b>	
No.	MINN. STAT. §
<b>45</b>	563.02
An inmate who wishes to proceed in a civil action <i>in forma pauperis</i> (and thereby have fees waived), must provide name and income of spouse. <b>There is no requirement to report the income of a same-sex partner even if the couple was living together as a single economic unit before the inmate was incarcerated.</b>	
No.	MINN. STAT. §
<b>46</b>	573.02
A jury has the duty to determine just and fair compensation to the surviving spouse and family of an individual who was killed wrongfully. <b>The jury is limited to awarding damages to the spouse and family and does not have authority to make an award to benefit a same-sex partner.</b>	
No.	MINN. STAT. §
<b>47</b>	595.02
An individual cannot be compelled to testify against his or her spouse in court. <b>There is no similar protection for same-sex partners.</b>	

No.	MINN. STAT. §
<b>48</b>	611A.01
The rights assigned to a victim of a crime, such as restitution (see Minn. Stat. § 611A.04), extends to the family members of a victim who is incompetent, incapacitated or deceased. <b>The same rights do not extend to same-sex partners because they are not given status as family members.</b>	
<b>49</b>	611A.52
The spouse of a murder victim may seek support payments from the perpetrator. <b>A same-sex partner does not have a similar right to seek support.</b>	
<b>50</b>	645.44
The spouse of a person in a regulated profession cannot qualify as a "public member" under Minnesota statutes or legislative acts. <b>Same-sex partners are considered public members.</b>	
<b>CRIMINAL LAW</b>	
<b>51</b>	243.05
For purposes of parole hearings/decisions in first-degree murder cases, the "victim" is defined to include the decedent's surviving spouse. <b>A same-sex partner is not recognized as a victim under the statute.</b>	
<b>52</b>	244.05
A murder victim's surviving spouse is considered a "victim" for the purpose of inmate supervised release hearings. <b>The same status is not extended to same-sex partners.</b>	
<b>53</b>	256.9742
It is a misdemeanor to discriminate against patients or family members for filing good-faith complaints to Ombudsman for Older Minnesotans. <b>The same protection is not extended to a same-sex partner.</b>	

No.	MINN. STAT. §
<b>54</b>	260B.175
When a parent is notified that his or her child was taken into custody, the parent may request that the minor be placed with a "relative," which is defined to include family members related by marriage in Minn. Stat. § 260B.007. <b>The same-sex partner of a family member is not considered a relative.</b>	
<b>55</b>	260B.181
After a child is taken into custody by the state, there is a preference for placing the child with a relative if possible; "relative" is defined to include family members related by marriage in Minn. Stat. § 260B.007. <b>The same-sex partner of a family member is not considered a relative.</b>	
<b>56</b>	260B.331
In a delinquency case, if a victim is a member of the delinquent child's immediate family, then the calculation of family reimbursement for county care may take into account the seriousness of the offense and the parents' expenses incurred as a result of the offense as well as the ability of the family to pay. <b>This exception would not apply if the same-sex partner of the parent was injured by the child.</b>	
<b>57</b>	609.101
Fines for various crimes may be reduced upon the showing of hardship on the innocent family members of the defendant. <b>The impact upon a same-sex partner is not similarly considered.</b>	
<b>58</b>	609.215
A spouse has a cause of action for injunctive relief against someone he or she believes is about to assist his or her spouse in suicide. <b>Same-sex partners don't have the same power to obtain an injunction to prevent their partners' suicide.</b>	
<b>59</b>	609.375
It is a crime to violate an order to support a spouse. <b>There is no mechanism to ensure same-sex partners get support when their relationship ends.</b>	

CRIMINAL PROCEDURE	
No.	MINN. STAT. §
<b>60</b>	13.43
It is illegal to disclose the location of family members of state correctional system employees to inmates. <b>Same-sex partners of such employees are not protected by this statute because they are not granted status as family members.</b>	
No.	MINN. STAT. §
<b>61</b>	169A.284
The chemical dependency assessment charge cannot be waived unless the court makes a finding of undue hardship for the convicted person or that person's immediate family. <b>No consideration of hardship upon a same-sex partner of a defendant must be made.</b>	
No.	MINN. STAT. §
<b>62</b>	243.24
The courts may order that money earned by an inmate may be used to provide income to family or dependant relatives. <b>Same-sex partners are not officially recognized as family and therefore would not receive such a benefit.</b>	
DEATH, ESTATES AND TRUSTS	
No.	MINN. STAT. §
<b>63</b>	13.10
A person's confidential individual data collected by the state may in some circumstances be released to a surviving spouse or other family members upon the death of the individual. <b>Same-sex partners are not included among those who may receive the data.</b>	
No.	MINN. STAT. §
<b>64</b>	176.102
A qualified surviving spouse, who was a dependant of the decedent, is eligible for rehabilitative services from the workers' compensation program. <b>The same right does not extend to same-sex partners.</b>	
No.	MINN. STAT. §
<b>65</b>	176.111
A surviving spouse is entitled to benefits under the Workers' Compensation Act. <b>The same right does not extend to same-sex partners.</b>	

No.	MINN. STAT. §
<b>66</b>	176.111, subd. 16
If a surviving dependant is receiving workers' compensation benefits, the benefit terminates upon the marriage of that surviving dependant. <b>Those benefits don't terminate upon the beginning of a new same-sex relationship, since same-sex partnerships do not qualify for such benefits.</b>	
No.	MINN. STAT. §
<b>67</b>	181.07
An individual must consent if his or her spouse wishes to assign future wages to a third party. <b>A same-sex partner does not have a similar right to control assignment of wages.</b>	
No.	MINN. STAT. §
<b>68</b>	181.58
A surviving spouse may receive payment for work performed by but not yet paid to the decedent; any amounts so received by a spouse shall be subtracted from of the allowance to the spouse under Uniform Probate Code. <b>The same right to receive outstanding pay does not extend to same-sex partners.</b>	
No.	MINN. STAT. §
<b>69</b>	245A.12
When a residential housing program is placed into receivership with the state, the physical assets of the program, if owned by relatives (including married spouses), may be used by the state without rental payments required. <b>Assets owned by a same-sex partner can't be used by the state, and rental payments are required.</b>	
No.	MINN. STAT. §
<b>70</b>	246.51
When a patient of a state facility is unable to pay the for the full cost of treatment, the commissioner of human services looks to the relatives to pay; "relatives" includes the spouse and parents of a client (see Minn. Stat. § 246.50). <b>A same-sex partner is not obligated to pay for care.</b>	
No.	MINN. STAT. §
<b>71</b>	246.511
If the relative of a patient in a public institution is a Minnesota resident, the relative can't be ordered to pay more than 10 percent of the client's costs. <b>A same-sex partner is not obligated to pay for care.</b>	

No.	MINN. STAT. §
<b>72</b>	246.52
When for whatever reason a relative does not provide payment for the cost of a patient's care in a state facility, the attorney general may bring a civil action against that individual. <b>The same obligation to pay does not extend to a same-sex partner.</b>	
<b>73</b>	246.53, subd. 1
The commissioner of human services may bring a claim against deceased clients estate for medical costs provided for the decedent but not paid for by the client or client's relatives. <b>The statute does not contemplate payment by anyone other than the patient or the patient's relative, so payments made by a same-sex partner may not be counted toward relieving the patient's debt.</b>	
<b>74</b>	246.53, subd. 2
If the commissioner of human services brings a claim against an estate for unpaid treatment costs of a married person, the commissioner is allowed to make "equitable" decisions regarding reducing the department's claim against the estate in light of the financial condition of the surviving spouse. <b>The same consideration is not extended to a same-sex partner.</b>	
<b>75</b>	246.55
The spouse of a patient of a state facility has the right to appeal the reimbursement order issued by the commissioner of human services. <b>A same-sex partner does not have the same right to bring an appeal.</b>	
<b>76</b>	252A.03, subd. 1
The commissioner of human services may be nominated as guardian by an interested person, defined in Minn. Stat. § 252A.02 to include a spouse. <b>A same-sex partner may not similarly nominate the state as a guardian.</b>	
<b>77</b>	252A.03, subd. 4
The state is to look to a "near relative," defined in 252A.02 to include a spouse, to fill the position of guardian or conservator before appointing the state to that role. <b>The state can't appoint a same-sex partner as guardian to his or her partner.</b>	

No.	MINN. STAT. §
<b>78</b>	252A.06
The spouse of developmentally disabled person may file a petition to have the court appoint a public guardian or public conservator. <b>This right is limited to parents, spouses and relatives, and therefore is not extended to the same-sex partner of a developmentally disabled person.</b>	
<b>79</b>	252A.111
The commissioner of human services is obliged to consult with the parents, spouse or nearest relative of a ward regarding the ward's estate. <b>The commissioner is not similarly obligated to consult with the same-sex partner of the ward.</b>	
<b>80</b>	252A.19
An "interested person," defined in Minn. Stat. § 252A.02 to include a spouse, can petition to remove the State as a designated guardian or conservator of his or her spouse. <b>A same-sex partner is not included in the definition of an "interested person" and therefore is not automatically granted the same right.</b>	
<b>81</b>	256.25
The state may seek reimbursement from the estate of a person who received old-age assistance once the person has died or, if married, once the surviving spouse is deceased. <b>If the decedent was a part of a same-sex couple, the state does not have to wait to reach the decedent's estate.</b>	
<b>82</b>	256B.056
If an individual's spouse continues to live in the couple's primary residence (homestead), then the homestead is not counted as a part of the individual's assets for purposes of determining whether an individual will qualify for medical assistance. <b>The homestead is not exempt if the same-sex partner is living in the homestead.</b>	
<b>83</b>	256B.0571, subd. 13
A surviving spouse cannot exclude assets of their deceased spouse to avoid a Medical Assistance lien. <b>A same-sex partner does not have the same obligation.</b>	



No.	MINN. STAT. §
<b>84</b>	256B.0575
When calculating the costs of Medical Assistance, individuals can deduct costs related to his or her spouse. <b>The same deductions do not extend to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>85</b>	256B.058
When an individual is institutionalized and on Medical Assistance, some income is protected for the recipient's spouse. The statute sets out calculations for determining amounts. <b>Income is not protected for the same-sex partner of a medical assistance recipient.</b>	
No.	MINN. STAT. §
<b>86</b>	256B.059
An institutionalized individual on Medical Assistance may transfer specific assets to his or her spouse and therefore avoid being forced to spend down the assets. <b>Transferring assets to a same-sex partner would result in penalties rather than protecting assets.</b>	
No.	MINN. STAT. §
<b>87</b>	256B.0595
Any assets that a Medical Assistance applicant or their spouse transferred for less than fair-market value within 36 months prior to submitting his or her application for medical assistance will result in a penalty. <b>No penalty would result if a same-sex partner made a transfer of his or her assets.</b>	
No.	MINN. STAT. §
<b>88</b>	256B.0913, subd. 4(a)
Individuals otherwise ineligible for alternative medical care may receive funding for such care if, among other things, the person agrees to the establishment of greater family involvement in the financial management of payments. [The definition of "family" includes the word "parent." The definition of "parent" is a child's biological or adoptive parent who is legally obligated to support that child.] <b>A same-sex partner and nonbiological parent might not fall under this definition.</b>	
No.	MINN. STAT. §
<b>89</b>	256B.0913, subd. 5(g) and 5(h)
A person or their family can receive cash payments as part of the alternative medical care program. <b>A same-sex partner and nonbiological parent might not fall under this definition.</b>	

No.	MINN. STAT. §
<b>90</b>	256B.0913, subd. 12(b)(2)
When a client fee is assessed for alternative care services provided by Medical Assistance, the fee calculation is based upon assets of the recipient. <b>Special rules apply to calculating of assets of a married person that do not apply to a same-sex couple.</b>	
No.	MINN. STAT. §
<b>91</b>	256B.14
Through the application of a statutory formula, a spouse may be responsible for paying the cost of care of an institutionalized person receiving Medical Assistance. <b>A same-sex partner is not liable for paying the costs of his or her partner.</b>	
No.	MINN. STAT. §
<b>92</b>	256B.15
The state may file a claim against the estate of a Medical Assistance recipient unless the person leaves a surviving spouse. When there is a surviving spouse, the claim is deferred, in which case the state may file claim against the estate of the surviving spouse. <b>No similar deferment is provided for a same-sex partner who was living in the homestead of the decedent.</b>	
No.	MINN. STAT. §
<b>93</b>	256D.03
A Medical Assistance applicant is responsible for identifying potentially liable third parties, including family members. <b>Because a same-sex partner is not considered a family member, he or she is not obliged to contribute to health-care expenses under medical assistance.</b>	
No.	MINN. STAT. §
<b>94</b>	256D.15
Family members who are financially responsible for Medical Assistance recipients are limited to that person's spouse, or in certain circumstances to a parent. <b>Financial liability is not extended to same-sex partners.</b>	
No.	MINN. STAT. §
<b>95</b>	256D.16
A claim can be made against the estate of a deceased general assistance recipient or, if the recipient was married, the claim is deferred and will not be made against the estate but can be made against the estate of the recipient's spouse. <b>No similar deferment is provided to a same-sex partner who was living in the homestead of the decedent.</b>	



No.	MINN. STAT. §
<b>96</b>	256J.20
	Calculations of assets for eligibility determinations for the Minnesota Family Investment Program benefits provide that the primary residence (homestead) is excluded unless the owner does not reside in the house. There is an exception if the owner does not reside in the house because of pending divorce proceeding or battery or abuse. <b>For a same-sex couple, if the owner of the homestead leaves due to unrest in the relationship, the homestead is counted as an asset.</b>
<b>97</b>	383E.43
	No autopsy shall be conducted in Anoka County without the consent of the surviving spouse. <b>The same-sex partner of a decedent does not have a similar right to forbid or authorize an autopsy.</b>
<b>98</b>	390.32
	No autopsy shall be conducted in Hennepin County without the consent of the surviving spouse. <b>The same-sex partner of a decedent does not have a similar right to forbid or authorize and autopsy.</b>
<b>99</b>	500.19
	A divorce decree ends any joint-tenancy ownership by former spouses and converts it to tenants in common. <b>Same-sex partners do not have a similar automatic mechanism to sever joint-tenancy ownership when a relationship dissolves.</b>
<b>100</b>	501A.04
	Minn. Stat. § 501A.01 disallows nonvested property interests (Rule Against Perpetuities) to persons whose property arrangement arises out of a prospective, existing or previous marital relationship between the parties. <b>A same-sex couple avoids having a potential vested interest voided by this statute.</b>
<b>101</b>	501B.86
	If a married person wishes to reject an inheritance, his or her spouse must consent in order for the disclaimer to be binding against spouse. <b>The same is not true for same-sex partners.</b>

No.	MINN. STAT. §
<b>102</b>	501B.89
	The formation of a special-needs trust requires that neither the beneficiary nor their spouse fund the trust. <b>The same-sex partner of a special-needs trust beneficiary can be the settlor.</b>
<b>103</b>	501B.895
	Public policy stands against using trust instruments to shield assets for a spouse when the marital partner requires long-term care, and revocable trusts formed after July 2005 with assets for the benefit of an individual or their spouse are revocable for the purpose of determining eligibility for long-term care assistance. <b>The state does not have the same power to reach trusts established by, or for the benefit of, same-sex partners, even if the couple is living together as a single economic unit.</b>
<b>104</b>	501B.90
	If a trust allocates a benefit to a spouse who then divorces, then it is presumed that the trust will no longer provide such assets to the spouse; if provisions are revoked solely by this section, then they are revived by remarriage. <b>The same is not true for a same-sex couple.</b>
<b>105</b>	514.981
	When a married individual receives Medical Assistance, the assistance agency gets a lien against the spouse's house, but may not have to pay until the death of the spouse. <b>Same-sex partners are not similarly benefited or obliged.</b>
<b>106</b>	514.983
	A Medical Assistance lien cannot be enforced against a homestead while a spouse resides therein. <b>The same is not true for a same-sex partner residing in the homestead of his or her partner.</b>
<b>107</b>	514.984
	The Medical Assistance agency can file a claim against the aid recipient's spouse. <b>The agency cannot file against same-sex partners.</b>
<b>108</b>	524.1-201
	The "heirs" of a deceased individual include a surviving spouse. <b>A same-sex partner is not automatically an heir in absence of a will.</b>

No.	MINN. STAT. §
<b>109</b>	524.2-102
A surviving spouse has a right to an intestate share (a share granted without the presence of a will) of his or her married partner's estate. <b>A same-sex partner cannot inherit by intestate succession and does not receive any property if his or her partner dies without a will.</b>	
<b>110</b>	524.2-202
A surviving spouse may take an elective share of the property owned by the married couple, unless he or she expressly waived the right; the schedule for the elective share a spouse can take depends upon length of marriage. <b>There is no similar protection to keep an individual from disinheriting his or her long-term partner.</b>	
<b>111</b>	524.2-208
A spouse must consent to a transfer of property in order to keep the property excluded from the married couple's augmented estate for the purpose of the spousal share. <b>A same-sex partner need not consent because he or she does not have the right to avoid being disinherited.</b>	
<b>112</b>	524.2-210
Individuals who received nonprobate property from the decedent may have to contribute that property back to the estate to satisfy surviving spouse's elective share rights. <b>A same-sex partner cannot similarly reach nonprobate property.</b>	
<b>113</b>	524.2-212
A surviving spouse can exercise the elective share only during his or her lifetime. <b>There is no similar protection to keep an individual from disinheriting his or her same-sex partner.</b>	
<b>114</b>	524.2-213
The right to an elective share may be waived by a spouse in writing. <b>A same-sex partner need not waive the right because he or she does not have the right to avoid being disinherited.</b>	

No.	MINN. STAT. §
<b>115</b>	524.2-215
If a surviving spouse is on Medical Assistance, and the elective share will result in that spouse inheriting more than he or she would under the will or intestate succession, then the surviving spouse must invoke the elective share. <b>This section does not apply to same-sex couples because they are not eligible for the elective share.</b>	
<b>116</b>	524.2-301
If a surviving spouse marries after a will of the husband or wife was executed, then the surviving spouse is entitled to the intestate share of the estate regardless of what is said in the will. <b>There is no similar right for a same-sex partner.</b>	
<b>117</b>	524.2-402
Upon the death of a husband or wife, the primary residence of a married couple (homestead) goes to the surviving spouse unless the spouse has consented to a different arrangement; the surviving spouse must explicitly tell the court he or she wants the house or consent will be presumed. <b>If a same-sex partner owns a home together, each may leave their portion of the house to whomever they like; no consent from the partner is required.</b>	
<b>118</b>	524.2-403
Upon the death of a husband or wife, the surviving spouse is entitled to keep \$10,000 in personal property and a car owned by the couple before any other person may receive an inheritance. <b>The surviving partner of a same-sex couple has no similar right to keep the property of the deceased partner.</b>	
<b>119</b>	524.2-404
Upon the death of a husband or wife, the surviving spouse is entitled to receive a certain allowance from the estate for up to 18 months. The estate must pay this obligation before any other person may receive an inheritance. <b>No similar allowance is automatically available for the surviving member of a same-sex couple.</b>	
<b>120</b>	524.2-405
The surviving spouse may select which property of the estate he or she will take to satisfy his or her rights under Minn. Stat. § 524.2-403. <b>The surviving partner of a same-sex couple has no similar right to keep the property of the deceased partner.</b>	

No.	MINN. STAT. §
<b>121</b>	524.2-711
If the will of a married person provides that his or her heirs will be eligible to inherit property at some future date, the surviving spouse can receive that property in the future, even if he or she remarries in the meantime. <b>A same-sex partner is not an heir.</b>	
No.	MINN. STAT. §
<b>122</b>	524.2-804
Upon divorce, the will of each person is revoked to the degree it gives property to the person's ex-spouse, unless the will says that it should be effective despite the divorce; the revocation is void if parties remarry. <b>A same-sex couple must rewrite their wills at the end of a relationship or the ex-partner will still inherit the property.</b>	
No.	MINN. STAT. §
<b>123</b>	524.3-101
A person's will cannot override the specific laws in this chapter or Chapter 525. <b>The rules do not protect individuals in same-sex relationships.</b>	
No.	MINN. STAT. §
<b>124</b>	524.3-1203
A summary distribution of an estate may occur upon showing that all property selected by and allowances to the spouse have been paid. <b>A same-sex partner has no protection against a summary distribution of the estate of their deceased partner. Judges can distribute these assets elsewhere.</b>	
No.	MINN. STAT. §
<b>125</b>	524.3-203
The surviving spouse has priority to be appointed personal representative of the spouse's estate. <b>A same-sex partner is given no priority.</b>	
No.	MINN. STAT. §
<b>126</b>	524.3-301
An application for informal probate or appointment of a personal representative must contain the name of the decedent's spouse. <b>There is no requirement that a same-sex partner be acknowledged.</b>	
No.	MINN. STAT. §
<b>127</b>	524.3-403
A surviving spouse is entitled to be notified by the court that the will of the deceased spouse has been lost or destroyed. <b>A same-sex partner has no certain right that he or she will be notified by the court.</b>	

No.	MINN. STAT. §
<b>128</b>	524.3-703
The duties of a personal representative include properly distributing property of an estate to the surviving spouse. <b>A surviving spouse has certain rights to receive property that are not extended to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>129</b>	524.3-706
A surviving spouse has the right to receive a copy of the inventory of the decedent's estate. <b>A same-sex partner does not have the same right.</b>	
No.	MINN. STAT. §
<b>130</b>	524.3-715
A personal representative cannot exercise the power to sell the homestead of the decedent without the consent of the surviving spouse. <b>No consent of a same-sex partner is required.</b>	
No.	MINN. STAT. §
<b>131</b>	524.3-801
If a decedent received medical services from the state, then the spouse must serve notice of the decedent's death on the commissioner of human services. <b>A same-sex partner is not required to file the same notice and therefore may avoid repayment for services from the state.</b>	
No.	MINN. STAT. §
<b>132</b>	524.3-906
To satisfy his or her in her inheritance, a surviving spouse has the right to choose specific property that has not been left to others by will. <b>A same-sex partner does not have the same right.</b>	
No.	MINN. STAT. §
<b>133</b>	524.3-916
Property passing to a surviving spouse in trust will not bear the estate-tax burden. <b>The same is not true if a testamentary trust is established for a same-sex partner.</b>	
No.	MINN. STAT. §
<b>134</b>	524.5-302
If a married partner believes his or her spouse is incapacitated, then the partner may appoint a guardian for that spouse in a written document including a will or health-care directive; guardianship is active following the passing of the individual. <b>An individual does not have the same power to appoint a guardian for a same-sex partner.</b>	

No.	MINN. STAT. §
<b>135</b>	524.5-309
The spouse of an individual is among those with priority to be appointed the individual's guardian. <b>A same-sex partner does not have any special priority to be appointed guardian for his or her partner.</b>	
No.	MINN. STAT. §
<b>136</b>	524.5-413
The spouse of an individual is among those with priority to be appointed conservator for the individual. <b>A same-sex partner does not have any special priority to be appointed conservator for his or her partner.</b>	
No.	MINN. STAT. §
<b>137</b>	524.5-417
A conservator has the power to pay for needs of the ward's spouse. <b>The conservator has no similar authority to pay for the needs of a same-sex partner.</b>	
No.	MINN. STAT. §
<b>138</b>	524.5-418
The primary residence (homestead) of an incapacitated individual may not be sold by the conservator without consent of his or her spouse. <b>No consent of a same-sex partner is required for the partner's homestead to be sold.</b>	
No.	MINN. STAT. §
<b>139</b>	524.5-423
A transaction between the estate overseen by a conservator and the spouse of the conservator is forbidden because of the conflict of the conservator's fiduciary obligations. <b>A similar transaction with a same-sex partner is not an express conflict.</b>	
No.	MINN. STAT. §
<b>140</b>	524.5-431
At the time a conservatorship ends, the formerly protected person will once again control ownership of his or her property, or the designated persons will inherit the property, which may include fulfilling the statutory allowance for the surviving spouse. <b>A same-sex partner is not eligible for the statutory allowance.</b>	
No.	MINN. STAT. §
<b>141</b>	524.6-207
The allowance provided to a surviving spouse is protected against multiparty account creditors. <b>There is no similar way to protect income of a same-sex partner.</b>	

No.	MINN. STAT. §
<b>142</b>	524.6-307
Creditors cannot reach property of the estate dedicated to the statutory allowance for the surviving spouse. <b>A same-sex partner does not receive the same protection from creditors.</b>	
No.	MINN. STAT. §
<b>143</b>	525.05
A judge will be disqualified from a probate proceeding if his or her spouse or other family can be connected with the proceeding. <b>A judge is not disqualified if his or her same-sex partner might have an interest in the proceeding.</b>	
No.	MINN. STAT. §
<b>144</b>	525.14
A surviving spouse is the first to inherit a cemetery plot. <b>A plot does not automatically pass to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>145</b>	525.313
The court will not finalize a probate action and order a decree of dissent until the state clears the decedent and any predeceased spouse for medical assistance claims. <b>An individual's estate is not liable for the medical assistance debts of his or her same-sex partner.</b>	
No.	MINN. STAT. §
<b>146</b>	525.393
A coroner may surrender clothing of the decedent and other property the coroner determines to be of nominal value to the spouse or to any blood relative of the decedent. <b>The coroner cannot automatically release property to the same-sex partner of the decedent.</b>	
No.	MINN. STAT. §
<b>147</b>	525.528
A trustee of a decedent has a duty to be fair in selecting assets to pass to the surviving spouse to satisfy a bequest or transfer within the meaning of the marital deduction provisions of section 2056 of the United States Internal Revenue Code. <b>A surviving same-sex partner does not have the same protection.</b>	
No.	MINN. STAT. §
<b>148</b>	525.532
An individual's spouse must consent before an inheritance of real property may be fully disclaimed. <b>A same-sex partner does not have to provide consent for same.</b>	

No.	MINN. STAT. §
<b>149</b>	525.71
An order of the probate court, which provides or denies an allowance for a spouse, may be appealed to the Minnesota Court of Appeals. <b>A same-sex partner is not eligible for a statutory allowance and therefore has no automatic right of appeal.</b>	
<b>150</b>	525.9212
A surviving spouse may make an anatomical gift of the decedent's body. <b>A same-sex partner does not have the same authority to make an anatomical donation.</b>	
<b>151</b>	525.9214
Hospital employees are supposed to discuss the issue of anatomical gifts with the patient or a family member at or near time of death. <b>A same-sex partner would not necessarily be included in such a discussion.</b>	
<b>152</b>	529.05
It is presumed that if a husband and wife are both beneficiaries of a custodial trust, there is survivorship. <b>A same-sex partner does not have the same presumption to assume control of a custodial trust.</b>	
<b>153</b>	529.12
A "member of beneficiary's family," defined in Minn. Stat. § 529.10 to include a spouse, can petition to remove a custodial trustee for cause, to furnish security for performance of duties, or to provide other relief. <b>A same-sex partner does not have access to these remedies.</b>	
<b>EDUCATION</b>	
<b>154</b>	120A.22
It is a "legitimate exemption" for a child to be excused from school for family emergencies or the death or serious illness or funeral of an immediate family member. <b>Important events in the family of the same-sex partner of a child's parent might not qualify as a legitimate exemption from school absence.</b>	

No.	MINN. STAT. §
<b>155</b>	124D.10
Charter schools cannot enter into a lease with a relative unless certain exceptions apply. <b>A same-sex partner is not considered a relative.</b>	
<b>156</b>	124D.13
School districts are directed to set up early-childhood family education programs that assist parents and "other relatives" in promoting childhood development. "Relative" is defined as noncustodial grandparents or other persons related to a child by blood, marriage, adoption or foster placement, excluding parents. <b>Same-sex partners are not included in these services.</b>	
<b>157</b>	136A.125
The amount of child care assistance given to postsecondary students is determined based in part upon the income of the applicant and applicant's spouse. <b>The income of a same-sex partner is not considered in calculating eligibility.</b>	
<b>158</b>	136G.11
The Minnesota College Savings Plan provides needs-based assistance for postsecondary education. The amount of the educational matching grant is calculated by income, including the income of the spouse of the student's parent (step-parent) if the applicant is under 25 or the income of the student's own spouse, if the applicant is over 25. <b>The income of a same-sex partner is not considered by the statute.</b>	
<b>ELECTION LAW</b>	
<b>159</b>	10A.12
A "political fund" (defined in Minn. Stat. § 10A.01 as a group of two or more persons who are not all members of an immediate family) may not contribute more than \$100 in aggregate to a candidate, political committee, or party unit. <b>Because same-sex couples are not recognized as a family unit under Minnesota law, this statute potentially creates a limit on the amount that a same-sex couple may contribute to election activities.</b>	

No.	MINN. STAT. §
<b>160</b>	10A.27
The campaign committee for a candidate for public office can accept a contribution from an individual on behalf of that individual's spouse in addition to the individual's own contribution. <b>The same privilege is not extended to couples in a same-sex partnership.</b>	
No.	MINN. STAT. §
<b>161</b>	203B.17
An individual may submit their spouse's absentee ballot application. <b>The application cannot be submitted by a same-sex partner.</b>	
No.	MINN. STAT. §
<b>162</b>	204B.19
Both members of a married couple cannot serve as an election judge in the same precinct nor may the spouse of a candidate serve as an election judge in the precinct of the election. <b>There is no prohibition in either case against same-sex partners serving in the same precinct.</b>	
No.	MINN. STAT. §
<b>163</b>	211A.12
An individual may submit their spouse's campaign donation. <b>A same-sex partner does not have a similar right to submit a donation on behalf of his or her partner.</b>	
<b>ENVIRONMENT</b>	
No.	MINN. STAT. §
<b>164</b>	115B.34
The Pollution Control Agency is permitted to establish a schedule for distributing death benefits to a surviving spouse from the hazardous substances special revenue fund; there is a 10-year limit on death benefits a surviving spouse can receive from the hazardous substances special revenue fund. <b>The benefit extends to the spouse because the spouse is presumed to be a dependant under Minn. Stat. § 176.111; the presumption does not extend to same-sex partners.</b>	

<b>FAMILY LAW</b>	
No.	MINN. STAT. §
<b>165</b>	125A.027
Parents and health-care professionals must together determine the appropriate and necessary services for children with disabilities. "Parent" is not specifically defined in this part of the chapter, but later in the chapter, Minn. Stat. § 125A.27 defines "parent" as a biological parent with parental rights or an adoptive parent and legal guardian. <b>The same-sex partner of a biological parent is not included in the determination of services.</b>	
No.	MINN. STAT. §
<b>166</b>	125A.32
Under this chapter, the State Interagency Council is responsible for implementing a plan for intervention services for children with disabilities. This statute provides that a team, including a parent, service coordinator and any other individual that the parent may direct, create an Individualized Family Service Plan. <b>A same-sex partner does not have the right to participate, even if equally parenting the child, unless the biological or adoptive parent designated the partner as a member of the team.</b>	
No.	MINN. STAT. §
<b>167</b>	148B.39
In a family therapy situation, the privilege that applies to a marriage and family therapist cannot be waived by just one family member participating in the therapy, but must be waived by all. <b>Same-sex partners would not have the same protection because they would not necessarily be considered family members or participants in family therapy.</b>	
No.	MINN. STAT. §
<b>168</b>	245.4871
As used in statutes 245.487 to 245.4887; "family" is defined to include those related by marriage. The "Minnesota Comprehensive Children's Mental Health Act," which provides support services to a child's family during a mental health crisis, include in-home treatment for the family. <b>"Family" does not include same-sex partners.</b>	
No.	MINN. STAT. §
<b>169</b>	245A.035
The county may place a child in the care of a relative who is not licensed for foster care, providing other conditions are met. Relative, as defined in 260C.007, includes relations by marriage or an "important friend." <b>Since the same-sex partner of a child's parent is not considered a relative, he or she would be considered for placement only if he or she were found to be an important friend of the child.</b>	

No.	MINN. STAT. §
<b>170</b>	256L.04, subd. 2
A relative who is taking care of a child enrolled in MinnesotaCare must cooperate in establishing paternity of child. <b>A same-sex partner need not cooperate in establishing paternity.</b>	
No.	MINN. STAT. §
<b>171</b>	257.02
No one other than a parent or relative may assume permanent custody or care of a child under 14 unless authorized by order of the court. <b>The same-sex partner of a child's legal parent may not assume custody of the child without permission of the court, regardless of the role the individual has played in the child's life.</b>	
No.	MINN. STAT. §
<b>172</b>	257.026
The custodial parent is obliged to notify the other parent and social services if he or she marries a person convicted of certain crimes. <b>The parent would not have the same obligation if he or she entered into a same-sex relationship.</b>	
No.	MINN. STAT. §
<b>173</b>	257.05
Relatives, related by either blood or marriage, are exempt from the duty to request permission from the state to bring a child to the state for the purpose of adoption. <b>The exemption does not extend to the co-parent in a same-sex couple.</b>	
No.	MINN. STAT. §
<b>174</b>	257.55
There is a presumption a man is the father of a child if he is married to the mother during birth of the child or he attempts to marry the mother. <b>This rule applies to a married couple regardless of the biological relationship between the mother's husband and the child, and therefore gives the families of married persons preferred status over other families.</b>	
No.	MINN. STAT. §
<b>175</b>	257.56
The husband of a mother is treated in law as biological father of a child conceived by his wife via artificial insemination by another man's semen. <b>This rule gives families of married persons preferred status over other families.</b>	

No.	MINN. STAT. §
<b>176</b>	257.66
When custody of a child is at issue, the court may rely upon insurance held by the spouse of one parent in allocating health-care expenses from the birth of the child. <b>The court cannot rely upon the health insurance of a same-sex partner.</b>	
No.	MINN. STAT. §
<b>177</b>	257.75
Unmarried male and female parents may register with the state to be recognized as the biological parents of their child. <b>This privilege is not extended to same-sex couples.</b>	
No.	MINN. STAT. §
<b>178</b>	257C.03
Notice of a third-party petition for custody or a <i>defacto</i> petition for custody must be given to any man who was married to the birth mother 325 days prior to or 10 days after the birth of a child. <b>No notice is required to be given to a woman in a same-sex relationship with the birth mother.</b>	
No.	MINN. STAT. §
<b>179</b>	259.10
Married persons may apply for joint name change if both spouses join in the application. <b>A same-sex couple cannot apply for a joint name change.</b>	
No.	MINN. STAT. §
<b>180</b>	259.29
Priority for custody is given to a relative over an "important friend." <b>Thus a relative would be given priority for custody over the same-sex partner who was co-parenting full-time with the child's legal parent.</b>	
No.	MINN. STAT. §
<b>181</b>	259.49
A petition for adoption must be given to the individual married to the birth mother 325 days before or 10 days after birth. <b>No notice is required for an individual in a same-sex relationship with the birth mother.</b>	
No.	MINN. STAT. §
<b>182</b>	259.58
"Birth relatives," including those related by marriage, may enter an agreement regarding communication with or contact between an adopted minor or adoptive parent. <b>Under the statute the same-sex partner of an individual biologically related to the adopted child cannot be included in a communication agreement.</b>	



No.	MINN. STAT. §
<b>183</b>	259.59
Adoption by a step-parent who is the spouse of one birth parent does not terminate any vested inheritance rights between the child and the birth parent who is deceased. <b>Adoption by the same-sex partner of a parent, in an otherwise identical situation, could interfere with an inheritance.</b>	
<b>184</b>	260C.152
A relative must be provided notice of an opportunity to be heard in a child protection proceeding. <b>There is no mandatory notice to the parent not biologically related to the child in a same-sex couple.</b>	
<b>185</b>	260C.163
When the child welfare agency recommends the child be placed with a relative, the relative has the right to be a party to any related action. <b>The parent in a same-sex couple who is not biologically related to the child is not considered a relative.</b>	
<b>186</b>	260C.181
Temporary custody may occur with a relative or designated caregiver under Chapter 257A. <b>The parent in a same-sex couple who is not biologically related to the child is not considered a relative.</b>	
<b>187</b>	260C.201
Where the court finds that a child is a victim of domestic child abuse, the court may establish temporary support for the spouse of the abusing party. <b>The same support is not available to the non-abusing parent in a same-sex relationship.</b>	
<b>188</b>	260C.212
Priority for emergency placement of a child is given to those related by blood or marriage. <b>The parent in a same-sex couple who is not biologically related to the child is not considered to be a relative.</b>	
<b>189</b>	260C.215
There is an obligation for the state to make a special effort to place a foster child with a relative. <b>The parent in a same-sex couple who is not biologically related to the child is not considered a relative.</b>	

No.	MINN. STAT. §
<b>190</b>	517.01
Marriage is a civil contract between a man and a woman. <b>Same-sex partners cannot legally marry.</b>	
<b>191</b>	517.03
Marriages between two people of the same-sex are prohibited. Furthermore, marriages between people of the same-sex under the authority of other jurisdictions are not recognized. <b>Same-sex partners cannot legally marry, nor are their valid marriages in other jurisdictions recognized in Minnesota.</b>	
<b>192</b>	517.06
A man and a woman may be examined under oath regarding intent to marry. <b>Same-sex partners are not allowed to marry in Minnesota, regardless of intent.</b> No person shall solemnize a marriage unless satisfied that there is no legal impediment to it. <b>A layperson authorized to solemnize marriages (see 517.04) and ministers (see 517.05) cannot legally solemnize same-sex marriages. This law applies to allies as well; advocates for same-sex marriage cannot preside over legal solemnization.</b>	
<b>193</b>	517.07
A man and a woman must obtain a marriage license to be married. <b>A same-sex couple will be denied a marriage license in Minnesota. The local registrar is not allowed to approve same-sex couples' applications.</b>	
<b>194</b>	517.08
This statute establishes the process for obtaining a marriage license. <b>Same-sex couples cannot apply for a marriage license.</b>	
<b>195</b>	517.09
A man and a woman must declare intent to take each other as husband and wife in order to be married. <b>Same-sex couples are not recognized by the state, regardless of their intent to live together as a couple.</b>	
<b>196</b>	517.10
The person solemnizing the marriage must prepare certificates of marriage. <b>Same-sex couples cannot get a certificate of marriage.</b>	



No.	MINN. STAT. §
<b>197</b>	517.101
Certified copies of the marriage certificate shall be prepared and mailed to the couple. <b>Same-sex couples cannot get a certified copy of a marriage certificate.</b>	
<b>198</b>	517.14
It is a crime for a person authorized by law to solemnize marriages to knowingly solemnize an illegal marriage. <b>An advocate can be criminally charged for solemnizing a same-sex relationship.</b>	
<b>199</b>	518.01
The court may declare certain marriages void. <b>A same-sex couple cannot be married, so no marriage can be voided.</b>	
<b>200</b>	518.03
An annulment proceeding shall be conducted in the same manner as a divorce proceeding. <b>Same-sex partners cannot annul their marriages, since they can't marry in the first place.</b>	
<b>201</b>	518.04
A marriage cannot be annulled if it is found that the parties continued to cohabitate (1) after a minor spouse reaches adulthood; (2) after one spouse discovered the other is insane. <b>Annulment protections do not govern same-sex relationships.</b>	
<b>202</b>	518.05
Under Minn. Stat. § 518.02, there is a separate statute of limitations for each of the three separate reasons that an individual may petition for annulment. <b>Annulment protections do not govern same-sex relationships.</b>	
<b>203</b>	518.055
If an individual cohabitates with another believing that he or she is legally married, that individual is a putative (presumed) spouse. <b>Same-sex couples do not have the protection of the putative spouse law.</b>	

No.	MINN. STAT. §
<b>204</b>	518.06
This statute defines both “dissolution of marriage” (divorce) and grounds for granting it. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>205</b>	518.09
Either or both spouses may file petition for divorce. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>206</b>	518.10
A petition for divorce must state the place and date of marriage and the children born to couple prior to or during the marriage. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>207</b>	518.13
This statute defines what a couple or individual must prove to the court to be granted a divorce. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>208</b>	518.131
During a divorce proceeding, parties may bring a motion for a temporary restraining order. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>209</b>	518.191
A summary real estate disposition judgment may be obtained as a part of a divorce. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
<b>210</b>	518.195
This statute establishes the process for a couple to obtain a “streamlined divorce” if the couple meets the criteria of the statute. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	

No.	MINN. STAT. §
<b>211</b>	518.25
If a couple divorces and then remarries they have the right to apply for revocation of divorce decree. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>212</b>	518.552
A spouse can receive an award for maintenance payments from the ex-spouse as part of divorce. <b>An ex-same-sex partner cannot get government-mandated maintenance payments after ending their relationship.</b>	
No.	MINN. STAT. §
<b>213</b>	518.55, subd. 1
The court shall make equitable division of marital property. <b>The courts will not oversee the end of a same-sex relationship, thus there is no guarantee of equitable division of property.</b>	
No.	MINN. STAT. §
<b>214</b>	518.58, subd. 1a
Spouses have fiduciary duty to one another regarding marital property during pendency of divorce. <b>The courts will not impose a fiduciary duty when same-sex couples end their relationship.</b>	
No.	MINN. STAT. §
<b>215</b>	518.58, subd. 2
If a court finds that division of marital property alone would result in an undue hardship upon one of the spouses, then it may award that spouse other property the couple owned that was excluded from marital property. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>216</b>	518.58, subd. 3
The court may order a married couple to sell their primary residence (homestead) if it believes it necessary to the division of property. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>217</b>	518.581, subd. 1
The court may order an employees' pension plan benefit awarded his or her spouse in the divorce. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	

No.	MINN. STAT. §
<b>218</b>	518.581, subd. 2
A pension plan shall notify an employee's former spouse when the employee requests refund of the pension. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>219</b>	518.582
This statute establishes procedures for determining the present value of pension benefits or rights that are marital property. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>220</b>	518.68
The judgment and decree for a divorce must provide notice that failure to pay alimony is a criminal act. <b>Same-sex couples are not protected by divorce statutes when they end their relationships.</b>	
No.	MINN. STAT. §
<b>221</b>	518A.29
Gross-income calculations used in establishing child support do not include the income of the obligee's or obligor's spouse. <b>The statute is silent regarding the income of a same-sex partner that the obligor lives with, given such a relationship is not recognized under the law.</b>	
No.	MINN. STAT. §
<b>222</b>	518A.39; subd. 2(d)(1)
Any modification of a child-support order shall not consider the finances of the obligee's spouse. <b>The statute is silent regarding the income of a same-sex partner the obligor lives with, given such a relationship is not recognized by the law.</b>	
No.	MINN. STAT. §
<b>223</b>	518A.39; subd. 3
A duty to pay maintenance terminates upon remarriage of the obligee. <b>The obligation does not terminate if the obligee enters a long-term commitment with a same-sex partner.</b>	
No.	MINN. STAT. §
<b>224</b>	518A.41
The calculation of child medical support may consider the health plan held by the spouse of each parent. <b>There is no similar access to the health plan of a same-sex partner, even if the parent receives benefits as a domestic partner.</b>	

No.	MINN. STAT. §
<b>225</b>	518C.101
	"Duty of support" includes the obligation to the spouse or former spouse; obligations of Chapter 518C, the Uniform Interstate Family Support Act, are imposed upon spouses. <b>Same-sex couples are not protected by the "duty of support" law.</b>
<b>226</b>	519.11
	A postnuptial contract must satisfy specific requirements in order to be held valid. <b>The same is not true for contracts entered into by same-sex couples.</b>
<b>227</b>	523.08
	If an individual is the agent under his or her spouse's durable power of attorney, that right terminates with the initiation of divorce proceedings. <b>A same-sex couple must expressly revoke the power of attorney.</b>
<b>228</b>	523.09
	If a spouse is the agent under his or her spouse's nondurable power of attorney, that right terminates with the initiation of divorce proceedings. <b>A same-sex couple must expressly revoke the power of attorney.</b>
<b>229</b>	550.136
	The portion of an individual's income that may be taken by a sheriff's levy to pay a debt (other than child support) depends in part upon whether the individual is supporting a spouse. <b>There is no consideration of whether the individual is supporting a same-sex partner.</b>
<b>230</b>	551.06
	When the attorney for a judgment creditor directly levies the earnings of the debtor, the amount that may be taken out of the debtor's earnings depends in part upon whether the debtor is supporting a spouse. <b>There is no consideration of whether the individual is supporting a same-sex partner.</b>
<b>231</b>	571.922
	The maximum portion of an individual's income that may be garnished to pay child support depends in part upon whether the debtor is supporting a spouse. <b>There is no consideration of whether the individual is supporting a same-sex partner.</b>

No.	MINN. STAT. §
<b>232</b>	576.144
	If the court finds that a missing or absent person is dead as a matter of law, his or her marriage is dissolved. <b>Same-sex couples are not protected by the marriage dissolution statutes.</b>
<b>233</b>	609.335
	An individual cannot simultaneously enter multiple contracts for marriage. <b>Same-sex couples are not protected by marriage contract statutes.</b>
<b>FARMING &amp; AGRICULTURE</b>	
<b>234</b>	41B
	An individual is eligible for various agricultural loans provided by this chapter if the net assets of the married couple meet the guidelines. <b>Assets of a same-sex partner are not counted, so a same-sex couple may apply as individuals and avoid the asset limitations.</b>
<b>235</b>	41C
	This chapter provides farm loans to individuals considered to be "beginning farmers," or those individuals with low net worth who engage in farming activities. By definition, a beginning farmer's net worth includes the assets of the farmer's spouse. <b>The debts and assets of a same-sex partner are not counted even if the couple is living together as a single economic unit.</b>
<b>236</b>	176.011
	The spouse of a farmer is not counted as a laborer of a family farm under the Workers' Compensation Act. <b>A same-sex partner could bring a Workers' Compensation claim from an accident on the farm against his or her partner.</b>
<b>237</b>	273.111
	A surviving spouse has a continued right to agricultural property tax classification. <b>The same is not true for the same-sex partner of the decedent.</b>

No.	MINN. STAT. §
<b>238</b>	28A.15
A farmer may slaughter personal animals for his or her immediate family without a food handler's license. <b>This exception does not permit a farmer to slaughter animals for his or her same-sex partner without a license.</b>	
No.	MINN. STAT. §
<b>239</b>	31.56
A farmer can slaughter poultry for his or her immediate family without license. <b>This exception does not permit a farmer to slaughter poultry for his or her same-sex partner without a license.</b>	
No.	MINN. STAT. §
<b>240</b>	41.55
An individual is eligible for a family farm security loan only if the net worth of the married couple is less than \$75,000. <b>The debts and assets of a same-sex partner are not considered even if the couple lives together as a single economic unit.</b>	
No.	MINN. STAT. §
<b>241</b>	41.65
In the sale of state-owned farm property, the commissioner of agriculture must give priority to individuals or married couples with a net worth of less than \$100,000. <b>The debts and assets of a same-sex partner are not considered even if the couple lives together as a single economic unit.</b>	
No.	MINN. STAT. §
<b>242</b>	500.24
A "family farming corporation," defined as a farm owned by members of a family within the third degree of kinship and their spouses, is provided special status under the chapter. <b>A farm jointly owned by a same-sex couple does not qualify as a "family farming corporation" under the statute even if the couple lives together as one economic unit.</b>	
No.	MINN. STAT. §
<b>243</b>	500.245
Certain business organizations cannot sell or lease farm property without first offering it to the immediately preceding former owner. If the immediately preceding former owner buys the land, he or she cannot immediately resell the land, except to certain persons, including the owner's spouse or the spouse's siblings. <b>The exception does not allow the immediately preceding owner to sell the land to a same-sex partner or their siblings.</b>	

FINANCES AND FINANCIAL INSTITUTIONS	
No.	MINN. STAT. §
<b>244</b>	325K.14
A subscriber or immediate family member of the subscriber may suspend a digital signature. <b>The same-sex partner of the subscriber cannot suspend the digital signature.</b>	
No.	MINN. STAT. §
<b>245</b>	51A.251
A savings association may issue accounts to a married person as an individual owner. <b>The individuals in a same-sex couple will always be presumed the individual owner unless otherwise established.</b>	
No.	MINN. STAT. §
<b>246</b>	52.05
The spouse of a regularly qualified member may be a member of the credit union; blood or adoptive relatives of the regularly qualified member may be members, as well as their spouses. <b>A same-sex partner does not similarly qualify for membership.</b>	
No.	MINN. STAT. §
<b>247</b>	52.137
Credit union members may establish an individual retirement account for their spouse. <b>The member cannot establish a retirement account for a same-sex partner.</b>	
No.	MINN. STAT. §
<b>248</b>	53B.03
For purposes of Minnesota Money Transmitters Act (Chapter 53B), the percentage an individual controls includes any portion controlled by a spouse; controlling persons are required to meet certain obligations. <b>Control is not conferred from a same-sex partner.</b>	
No.	MINN. STAT. §
<b>249</b>	55.10
A safe-deposit box company may open a deposit box for spouse of a decedent if there is evidence the box contains a will, deed for burial plot or burial instructions. <b>Same-sex partners do not have express authority under the statute to search a safe-deposit box for the documents.</b>	

No.	MINN. STAT. §
<b>250</b>	56.17
A married individual cannot secure a loan offering household furniture as security without the consent of his or her spouse if the spouse would have to authorize the sale of the furniture. <b>The statute does not contemplate an individual offering household furniture that he or she owns along with a same-sex partner.</b>	
No.	MINN. STAT. §
<b>251</b>	519.05
Either spouse can close a credit account for which the couple is jointly liable. <b>The same is not true for a same-sex couple.</b>	
No.	MINN. STAT. §
<b>252</b>	527.27
If a custodian of property for a minor beneficiary is not named, or if individuals named are dead, are unable, decline, or are ineligible to serve, then a transfer of property may be made to an adult "member of the minor's family," defined in statute 527.21 to include a spouse. <b>A same-sex partner cannot receive such a transfer of property.</b>	
No.	MINN. STAT. §
<b>253</b>	550.371
When husband and wife jointly file for bankruptcy, they may choose which provision to file under. <b>Same-sex partners may not file jointly for bankruptcy.</b>	
No.	MINN. STAT. §§
<b>254</b>	513.075 and 513.076
This pair of statutes limits the enforceability of a contract entered into by an unmarried couple whom are cohabitating with the contemplation of a sexual relationship regarding the division of property and financial resources, to contracts entered into (1) by a man and a woman; (2) in writing; and (3) signed by both parties; because all other contracts have been determined to be contrary to public policy. <b>These statutes limits a same-sex couple's right to contract.</b>	
No.	MINN. STAT. §
<b>255</b>	513.44
Fraudulent transfers to avoid debt includes transfers to "insiders," which is defined in Minn. Stat. § 513.41 to include spouses. <b>A same-sex partner does not qualify as an "insider" and therefore can avoid the obligation of this statute.</b>	

No.	MINN. STAT. §
<b>256</b>	513.45
Fraudulent transfers to avoid debt includes transfers to "insiders," which is defined in Minn. Stat. § 513.41 to include spouses, including cases of insolvency. <b>A same-sex partner does not qualify as an "insider" and therefore can avoid the obligation of this statute.</b>	
<b>HEALTH CARE</b>	
No.	MINN. STAT. §
<b>257</b>	13.384
Medical data regarding a deceased person is protected as private, but it may be disclosed to a surviving spouse, among others. <b>A same-sex partner has no statutory right to receive this medical data based upon the status of his or her relationship with the decedent.</b>	
No.	MINN. STAT. §
<b>258</b>	144.053
An employee of the commissioner of health cannot interview a patient for medical research or the patient's relative without consent of an attending physician. <b>A same-sex partner is not classified as family and therefore is not covered by this statute.</b>	
No.	MINN. STAT. §
<b>259</b>	144.218
A child's birth parents who are unmarried at the time of birth and who subsequently marry may get a replacement birth certificate for the child indicating their status as married persons. <b>The same privilege is not extended to persons in a same-sex partnership.</b>	
No.	MINN. STAT. §
<b>260</b>	144.25
Married persons may be issued a copy of their spouse's birth or death record. <b>The same privilege is not extended to persons in a same-sex partnership.</b>	
No.	MINN. STAT. §
<b>261</b>	144.35
A surviving spouse is included in the definition of a patient; therefore, he or she can do things such as release records after death. <b>Same-sex partners do not have similar rights to access records.</b>	

No.	MINN. STAT. §
<b>262</b>	144.419
A “family member” may choose to enter a quarantine area to visit another family member. <b>Because same-sex partners are not legally described as family members, persons in a same-sex partnership are not similarly able to enter a quarantined area.</b>	
<b>263</b>	144.6501
A patient’s spouse may be held financially liable for signing an admission form for nursing home care. <b>The liability that would automatically extend to a spouse does not extend to a same-sex partner.</b>	
<b>264</b>	144.651
Married residents of a health care facility have the right to see their spouse and share a room with that spouse. <b>Many Minnesota hospitals restrict visiting hours for nonfamily members. While “family” may be an expansive term, hospital administrators often do not interpret the term to include same-sex partners. A patient does not have the right to define family to include a same-sex partner.</b>	
<b>265</b>	144A.04
Persons considered “family members” of an incontinent patient may waive the checks required by statute for such patients. <b>Same-sex partners do not have similar status and therefore cannot consent to such waivers without obtaining status as guardian or health care agent.</b>	
<b>266</b>	144A.161
A county social services agency or nursing facility must notify, among others, “family members” of a transfer of a patient. <b>A same-sex partner is not entitled to such notice unless designated the representative of the patient.</b>	
<b>267</b>	144A.75
Relatives are included in the definition of “hospice patient’s family” and therefore, under Minn. Stat. § 144A.751, subd. 1[21], are allowed to assert rights of related hospice patient. <b>Same-sex partners do not have a similar power to assert the rights of his or her partner.</b>	

No.	MINN. STAT. §
<b>268</b>	145A.08
The spouse of an individual who has a communicable disease subject to control by the Board of Health is financially liable to the unit of government that paid for disease care. <b>A similar obligation does not exist for a same-sex partner.</b>	
<b>269</b>	145B.09
Upon the dissolution of a marriage, the ex-spouse’s designation as proxy in health care decision making in a living will is terminated unless the document expressly states the right shall continue. <b>Same-sex partners must specifically revoke the designation in a living will.</b>	
<b>270</b>	145C.09
The commencement of dissolution of marriage proceedings or steps to terminate a registered domestic partnership terminates a spouse or partner’s right to serve as healthcare agent unless the healthcare power of attorney expressly provides for continuation. (NOTE: This statute allows coverage of a “registered domestic partnership,” but only where such registration is available.) <b>If a same-sex couple has a health care directive, their directive is not terminated upon their separation; the same-sex couple must take extra legal proceedings to cancel the health care directive.</b>	
<b>271</b>	149A.01
A spouse may move or embalm a body without penalty and need not be licensed. <b>A same-sex partner does not have the same privilege.</b>	
<b>272</b>	149A.80
Individuals have the right to control the disposition of their spouses’ remains because of their status as married persons. <b>Same-sex partners have no similar right in their relationship.</b>	
<b>273</b>	253B.03
The spouse of a patient is the first person a treating physician consults if the patient can’t consent to treatment. <b>The same-sex partner of a patient is not included on the list of persons who may consent to surgery.</b>	

No.	MINN. STAT. §
<b>274</b>	253B.04, subd. 1a
	An “interested person,” defined in Minn. Stat. § 235B.02 to include a spouse, may ask a court to determine whether his or her spouse was admitted voluntarily to a treatment facility. <b>Same-sex partners don’t have the same right to petition the court to determine if their partner was admitted voluntarily to a facility for treatment of mental illness, developmental disabilities or chemical dependency.</b>
No.	MINN. STAT. §
<b>275</b>	253B.04, subd. 1b
	An “interested person,” defined in Minn. Stat. § 235B.02 to include a spouse, may ask a court to appoint an alternative decision maker on behalf of patient. <b>A same-sex partner might not have the same right.</b>
No.	MINN. STAT. §
<b>276</b>	253B.064
	An “interested person,” defined in Minn. Stat. § 235B.02 to include a spouse, may ask a court for early intervention. <b>A same-sex partner might not have the same right.</b>
No.	MINN. STAT. §
<b>277</b>	253B.10
	The head of a treatment facility must notify an individual if his or her spouse is admitted for civil commitment; if the individual is admitted at the request of a spouse then the commissioner must notify another relative. <b>The head of a treatment facility is not granted authority to contact the same-sex partner regarding the admission.</b>
No.	MINN. STAT. §
<b>278</b>	253B.14
	The head of a treatment facility must notify the spouse of an individual in treatment regarding any transfer to an alternative facility. <b>The same-sex partner of a patient does not have a similar right to notice of a transfer.</b>
No.	MINN. STAT. §
<b>279</b>	253B.16
	The head of a treatment facility must notify the spouse of an individual in treatment regarding discharge. <b>The same-sex partner of a patient does not have a similar right to notice of treatment or discharge.</b>

No.	MINN. STAT. §
<b>280</b>	256.476
	This state defines “family” to include a spouse. Persons can qualify for a grant for health care if they reside at their home or the home of a family member. The overall purpose of the grant is to maintain the family living environment. <b>The individual does not qualify by living in the home of a same-sex partner.</b>
No.	MINN. STAT. §
<b>281</b>	256B.031
	If a Medical Assistance enrollee can obtain Medical Assistance coverage through a former spouse’s health plan, he or she can be required to do so. <b>There is no similar obligation related to same-sex partnerships.</b>
No.	MINN. STAT. §
<b>282</b>	256B.055
	The relative caretaker of a dependant child who qualifies for Medical Assistance also qualifies for Medical Assistance. <b>If the caretaker is not related because he or she is the same-sex partner of the child’s parent, there’s no similar qualification for Medical Assistance.</b>
No.	MINN. STAT. §
<b>283</b>	256B.48
	A nursing-care facility must notify a patient’s spouse regarding certain benefits programs available to any private-pay patient. <b>The nursing-care facility need not notify the same-sex partner of programs available to the patient.</b>
No.	MINN. STAT. §
<b>284</b>	256D.405
	General Assistance recipients must report if they receive money from a financially responsible relative, which is defined in Minn. Stat. § 265D.35 to include a spouse. <b>Money received from a same-sex partner is not considered money from a financially responsible relative.</b>
No.	MINN. STAT. §
<b>285</b>	256L.03
	The co-insurance and co-pay requirements for MinnesotaCare are waived depending on family income for certain relatives who are caretakers of children. <b>The waiver does not apply to an individual who became a child’s caregiver via a same-sex relationship.</b>
No.	MINN. STAT. §
<b>286</b>	256L.04, subd. 1
	If one spouse enrolls in MinnesotaCare, the other spouse must also enroll unless other insurance is available. <b>The same requirement does not apply to same-sex couples.</b>



No.	MINN. STAT. §
<b>287</b>	256L.04, subd. 13
A relative acting as caretaker of a child can apply for Medical Assistance as a family unit or separately on behalf of the child. <b>A same-sex partner is not included in the family application for MinnesotaCare.</b>	
No.	MINN. STAT. §
<b>288</b>	256L.05
A family member of an individual can apply for MinnesotaCare on behalf of that individual. <b>Because same-sex partners are not considered legal family members, one member of a same-sex couple is not authorized by the statute to apply for MinnesotaCare on behalf of his or her partner.</b>	
No.	MINN. STAT. §
<b>289</b>	256L.07
To be eligible for MinnesotaCare, neither an emancipated minor nor his or her spouse, may have access to insurance through a post-secondary school. <b>An emancipated minor in a same-sex relationship would qualify for MinnesotaCare regardless of the health insurance available to his or her partner.</b>	
No.	MINN. STAT. §
<b>290</b>	519.05(A)
A married couple living together are joint and severally liable for medical expenses of the other. <b>The same is not true for a same-sex couple.</b>	
<b>GOVERNMENT PERSONNEL AND PENSIONS</b>	
No.	MINN. STAT. §
<b>291</b>	3A.02, subd. 5
A surviving spouse of a legislator has the right to elect an optional annuity. <b>This benefit is not extended to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>292</b>	161.44
A surviving spouse has the first right to reacquire lands once condemned by the state that the state believes are no longer needed. <b>A same-sex partner has no similar right.</b>	

No.	MINN. STAT. §
<b>293</b>	299A.44
The surviving spouse of a law enforcement officer killed in the line of duty may receive a payment of \$100,000. <b>The same benefit is not extended to the same-sex partner of the decedent.</b>	
No.	MINN. STAT. §
<b>294</b>	299A.45
The surviving spouse of a law enforcement officer killed in the line of duty is eligible to receive an education benefit. <b>The same benefit is not extended to the same-sex partner of the decedent.</b>	
No.	MINN. STAT. §
<b>295</b>	299A.465
The surviving spouse of a law enforcement officer killed in the line of duty shall continue to receive employer-provided health coverage. <b>The same benefit is not extended to the same-sex partner of the decedent.</b>	
No.	MINN. STAT. §
<b>296</b>	352.01
An individual has the right to the benefit payment owed to his or her spouse if the spouse with the claim dies before the benefit check is negotiated. <b>A same-sex partner has no similar right to payment.</b>	
No.	MINN. STAT. §
<b>297</b>	352.113
A surviving spouse is entitled to the disability payment owed to a state employee for the month in which the employee dies. <b>A same-sex partner is not entitled to this same payment.</b>	
No.	MINN. STAT. §
<b>298</b>	352.115
If an individual did not exercise an option for a state pension annuity, the surviving spouse is entitled to payment from the annuity for only the month in which the married partner dies. It designated beneficiary dies before making claim for payment of an annuity or benefit, payment must be made to the surviving spouse. <b>The same-sex partner of the individual would not receive any payment.</b>	
No.	MINN. STAT. §
<b>299</b>	352.12
If an employee of the state dies before his or her annuity becomes payable, the beneficiary or, if none, the surviving spouse is entitled to a refund with interest. <b>A same-sex partner does not have a statutory right to receive the refund.</b>	



No.	MINN. STAT. §
<b>300</b>	352.12, subd. 2
The surviving spouse of an employee of the state may elect a 100 percent survivor annuity. <b>A same-sex partner is not eligible to make the same election.</b>	
<b>301</b>	352.12, subd. 2a
The surviving spouse of an employee of the state may elect term life insurance. <b>A same-sex partner is not eligible to make the same election.</b>	
<b>302</b>	352.12, subd. 6
The surviving spouse of a retired employee of the state is entitled to a refund. <b>A same-sex partner is not eligible for the same refund.</b>	
<b>303</b>	352.931
The surviving spouse of a correctional employee may elect a 100 percent annuity from the state. <b>The same-sex partner of the employee does not have a comparable right.</b>	
<b>304</b>	352.98
If an employee dies prior to exhausting the balance in his or her health savings account, the employee's spouse or dependents are eligible to be reimbursed for health-care expenses from the account until the account balance is exhausted. <b>A same-sex partner is not eligible to use the account for health-care expenses.</b>	
<b>305</b>	352B.11
If an active member of the Minnesota State Patrol dies, the surviving spouse has a right to cash benefits. <b>A same-sex partner of a Minnesota State Patrol member does not have a right to such benefits.</b>	
<b>306</b>	352D.075
If a participant or a former participant in the State Unclassified Employee Retirement Program dies before an annuity or a disability benefit becomes payable, the surviving spouse is entitled to receive a benefit; also, the spouse must join in assigning the benefit to another beneficiary. <b>A same-sex partner does not have similar rights under the statute.</b>	

No.	MINN. STAT. §
<b>307</b>	359.29
If the annuitant dies prior to negotiating the check for the month in which the death occurs, payment must be made to the surviving spouse. <b>A same-sex partner has no right to receive this payment.</b>	
<b>308</b>	353.31
The surviving spouse of an individual who was a member of the Public Employees Retirement Association has the right to 50 percent of the member's death benefit. <b>A same-sex partner is not eligible for the same benefit.</b>	
<b>309</b>	353.32
A former spouse may be eligible for the surviving spouse benefit from the Public Employees Retirement Association if the marriage dissolution decree provides for the same. <b>A same-sex partner is not eligible for the same benefit.</b>	
<b>310</b>	353.33, subd. 2
If a person receiving disability benefits dies prior to negotiating the benefit check for the month in which death occurs, payment shall first be made to the surviving spouse. <b>A same-sex partner is not eligible for the same payment.</b>	
<b>311</b>	353.33, subd. 3b
If a person receiving disability benefits elects the optional annuity, his or her spouse must consent in writing before the death benefit may be assigned to an individual other than the spouse. <b>A same-sex partner has no similar right to consent.</b>	
<b>312</b>	353.33, subd. 3b(3)
If the spouse is named as the beneficiary of the joint and survivor optional annuity, the spouse may draw the monthly benefits. <b>A same-sex partner does not have the same right to draw benefits.</b>	
<b>313</b>	353.33, subd. 12
If a basic member of the Public Employees Retirement Association is receiving disability benefits dies before age 65, the surviving spouse is entitled to that benefit under Minn. Stat. § 353.31. <b>The same is not true for a same-sex partner.</b>	

No.	MINN. STAT. §
<b>314</b>	353.656, subd. 1a(1)
	If a police officer or firefighter names someone other than a surviving spouse as beneficiary of the joint and survivor optional annuity, the surviving spouse must waive right to his or her benefit. <b>A same-sex partner has no statutory right to this benefit.</b>
No.	MINN. STAT. §
<b>315</b>	353.656, subd. 1a(4)
	A surviving spouse who receives a joint optional annuity of a police office or firefighter may draw monthly payments. <b>A same-sex partner has no statutory right to this benefit.</b>
No.	MINN. STAT. §
<b>316</b>	353.657
	The surviving spouse of a disabled police or fire worker is entitled to receive a benefit in the event that the worker dies. <b>The same benefit is not extended to same-sex partners.</b>
No.	MINN. STAT. §
<b>317</b>	353.657, subd. 2a
	A surviving spouse of an eligible police or fire worker is entitled to receive a survivor's benefit. <b>The same benefit is not extended to same-sex partners.</b>
No.	MINN. STAT. §
<b>318</b>	353A.10
	The spouse of a member of the police or firefighters relief association whose marital partner did not elect certain benefits under consolidation is entitled to a refund. <b>The same-sex partner of a member does not have a similar right to a refund.</b>
No.	MINN. STAT. §
<b>319</b>	353B.11
	A surviving spousal benefit is provided to the spouses of local police relief members. <b>No benefit is provided to the same-sex partner of a member.</b>
No.	MINN. STAT. §
<b>320</b>	353B.12
	The surviving spousal benefit provided to the spouse of a local police relief member shall be increased annually. <b>The benefit is not provided to the same-sex partner of a member.</b>

No.	MINN. STAT. §
<b>321</b>	353B.13
	The spouse of a member of Austin Firefighters Relief Association is entitled to continued health benefits. <b>The same is not true for the same-sex partner of a member.</b>
No.	MINN. STAT. §
<b>322</b>	353E.07
	The surviving spouse of a member or former member of a local government correctional service retirement plan may elect an annuity. <b>A same-sex partner is not eligible for the annuity.</b>
No.	MINN. STAT. §
<b>323</b>	354.46
	The surviving spouse of a member of the teacher's retirement plan may be entitled to a benefit equal to 50 percent of the marital partner's salary; the spouse must consent to the benefit transferring to another beneficiary. <b>A same-sex partner does not have the statutory right to receive this benefit.</b>
No.	MINN. STAT. §
<b>324</b>	354.465
	A marital partner who elected a joint and survivor annuity from the Teacher's Retirement Fund prior to July 1, 1981, or his or her spouse, may modify the election. <b>A same-sex partner does not have the authority to change the election.</b>
No.	MINN. STAT. §
<b>325</b>	354.47
	If a member of the Teacher's Retirement Fund dies before retirement, and the surviving spouse is not entitled other specified benefits, then the surviving spouse will receive the amount equal to the total deductions paid by the member, plus interest. <b>A same-sex partner does not have a statutory right to this benefit.</b>
No.	MINN. STAT. §
<b>326</b>	354A.35
	Survivor's benefits are paid to the surviving spouse of a member of the Teachers Retirement Fund provided under this chapter. <b>A same-sex partner does not have the statutory right to this benefit.</b>
No.	MINN. STAT. §
<b>327</b>	356.303
	A surviving spouse may receive a combined service benefit if the deceased marital partner met eligibility under specified covered public retirement plans. <b>The same benefit is not extended to same-sex partners.</b>

No.	MINN. STAT. §
<b>328</b>	356.407
If an individual was receiving a surviving spouse's benefit from the state, but was subsequently disqualified because he or she remarried, that individual is again eligible for the benefit upon the termination of the second marriage. <b>The same benefit is not extended to same-sex partners.</b>	
<b>329</b>	356.42
A surviving spouse receiving a benefit under this chapter is entitled to receive a post-retirement adjustment. <b>A same-sex partner is not eligible for this benefit.</b>	
<b>330</b>	356.46
The executive director of a public annuity must provide a surviving spouse information regarding the election of an optional retirement annuity. <b>There is no obligation to provide this information to a same-sex partner.</b>	
<b>331</b>	356.47
If a retired member dies before receiving the payment guaranteed, it shall be paid to the surviving spouse. If payments were deferred to a 402(c) plan, upon death of member, the surviving spouse may elect a rollover. <b>The same benefit is not extended to a same-sex partner.</b>	
<b>332</b>	356.47, subd. 2
If the surviving spouse of a teacher eligible for benefits under this Minn. Stat. § dies before the full term of the survivor's annuity is paid, the remainder is paid to the spouse's estate. <b>The same benefit is not extended to a same-sex partner.</b>	
<b>333</b>	356.49
During a dissolution of marriage proceeding, the public pension plan administrator must provide information regarding benefits and rights to both the court and the parties. <b>Upon the termination of a same-sex partnership, those individuals do not have a similar right to assets.</b>	
<b>334</b>	356.635
The surviving or former spouse of a public employee may elect direct rollover of a pension plan distribution to an eligible retirement plan. <b>A same-sex partner cannot make the same direct rollover designation and may thus incur a higher tax liability.</b>	

No.	MINN. STAT. §
<b>335</b>	356A.08
No relative of a fiduciary of a covered pension can receive compensation of more than nominal value for disbursement from plan. <b>A same-sex partner of a fiduciary could receive substantial compensation without violating this statute.</b>	
<b>336</b>	383A.20
The surviving spouse of a Ramsey County employee is entitled to continue receiving health insurance from the county. <b>The same is not true for same-sex partners.</b>	
<b>337</b>	383B.49
The surviving spouse of an employee of Hennepin County may request to redeem shares; the surviving spouse is entitled to receive the cash realized on the redemption of all or a portion of the shares in the participant's share account record. <b>A same-sex partner does not have a similar right to the benefits.</b>	
<b>338</b>	3A.02
The surviving spouse is entitled to receive the retirement allowance of the retired legislator for the calendar month in which the retired legislator died; the surviving spouse has the right to elect optional annuity. <b>This benefit is not extended to a same-sex partner.</b>	
<b>339</b>	3A.04
The surviving spouse of qualified members of the legislature are entitled to the survivor's benefit if they do not qualify for the benefit under Minn. Stat. § 3A.02. <b>A same-sex partner is not eligible for survivor benefits.</b>	
<b>340</b>	3A.05
This statute sets out the process a surviving spouse of a legislator must follow to obtain benefits under Minn. Stat. § 3A.04. <b>A same-sex partner is not eligible for survivor benefits.</b>	
<b>341</b>	422A.16
The surviving spouse of an employee of the City of Minneapolis has the right to a refund of the employee's net accumulated deposits into retirement accounts, plus interest. <b>A same-sex partner does not have the same right to receive this refund.</b>	

No.	MINN. STAT. §
<b>342</b>	422A.23
If an employee of the City of Minneapolis dies prior to termination of service and has at least 18 months but less than 20 years of service credit, the surviving spouse, or surviving child or children, is eligible to receive the survivor's benefit. <b>A same-sex partner of the employee is not eligible for the benefit.</b>	
<b>343</b>	423A.17
The governing body of a municipality may mandate the applicable local police or salaried firefighters relief association to provide that a surviving spouse benefit is payable for the life of the surviving spouse. <b>No similar benefit is available for a same-sex partner.</b>	
<b>344</b>	423A.171
A firefighters relief association may amend bylaws to provide survivor's benefit to the surviving spouse who married a retired member if the parties were married five years prior to the retiree's death. <b>No similar benefit is extended to a same-sex partner.</b>	
<b>345</b>	423A.19
If the surviving spouse of a Police or Salaried Firefighters' Relief Association member is qualified for a reduced vesting requirement, then he or she is qualified for a surviving spouse benefit. <b>The benefit is not available to a same-sex partner.</b>	
<b>346</b>	423B.05
The board of the Minneapolis Police Relief Association has a class of board members who are surviving spouses. <b>Survivors of board members in same-sex relationships are not included.</b>	
<b>347</b>	423B.08
A surviving spouse may authorize a deduction from Minneapolis Police Pension benefits for payment of insurance. <b>A same-sex partner does not have the power to authorize the same.</b>	
<b>348</b>	423B.09
A member of the Minneapolis Police Relief Association may designate only the member's spouse as the recipient of a joint and survivor annuity. <b>The same-sex partner of a member does not qualify for the benefit.</b>	

No.	MINN. STAT. §
<b>349</b>	423B.10
The surviving spouse of a City of Minneapolis police officer is entitled to the survivor's benefit. <b>A same-sex partner is not eligible for this benefit.</b>	
<b>350</b>	423B.151
If an eligible member of the Minneapolis police dies after the determination date and before the excess asset amount payment commences, the association must pay the eligible member's excess asset amount payment to the eligible member's surviving spouse. <b>A same-sex partner is not eligible to receive the same payments.</b>	
<b>351</b>	423C.02
The Minneapolis Firefighters Relief Association has a duty to maintain fund on behalf of members and their surviving spouses. <b>The benefits of the fund are not extended to same-sex partners.</b>	
<b>352</b>	423C.05
The surviving spouse of an eligible member of the Minneapolis Firefighters Relief Association is entitled to survivor's benefits. <b>Same-sex partners are not eligible for the same benefit.</b>	
<b>353</b>	423C.06
If an eligible member of the Minneapolis Firefighter's Relief Association dies before payment of a benefit is issued, the same is payable to the surviving spouse. <b>It is not payable to a surviving same-sex partner.</b>	
<b>354</b>	424A.02
The surviving spouse of a volunteer firefighter may request that decedent's pension be transferred to the 408(a) retirement account. <b>A same-sex partner does not have the power to make the same request.</b>	
<b>355</b>	424A.05
Disbursements from a volunteer firefighter's relief fund may be made to pay both the surviving spouse's benefits and the funeral benefits of the decedent. <b>The statute does not authorize disbursements to the same-sex partner of a decedent.</b>	

No.	MINN. STAT. §
<b>356</b>	424A.10
Upon the payment by a relief association of a lump-sum survivor's benefit or funeral benefit to a survivor of a deceased active volunteer firefighter or of a deceased deferred volunteer firefighter, the association may pay a supplemental survivor's benefit to the survivor of the deceased active or deferred volunteer firefighter from the association's special fund if their incorporation or bylaws allow. The "survivor" of a deceased active or deferred volunteer firefighter means the legally married spouse or surviving children. <b>Same-sex partners are not included in the definition.</b>	
No.	MINN. STAT. §
<b>357</b>	471.61
Local government units may provide insurance to officers and their dependants, including spouses. <b>The same-sex partners of the officers are not eligible for the same insurance.</b>	
No.	MINN. STAT. §
<b>358</b>	490.124
The surviving spouse of a retired judge is entitled to an annuity; the surviving spouse of judge may elect annuity equal to a joint-survivor annuity. <b>The same-sex partner of a retired judge is not eligible for the annuity.</b>	
<b>HEALTHCARE OCCUPATIONS</b>	
No.	MINN. STAT. §
<b>359</b>	144A.43
Relatives are excluded from the definition of home-care providers when providing services to relatives. Therefore, relatives are not bound by requirements of Chapter 144A. <b>Same-sex partners are bound by the requirements of this chapter.</b>	
No.	MINN. STAT. §
<b>360</b>	145C.03
There is an exemption of the rule prohibiting health care providers from serving as agent for a health care directive if the health care provider is related by marriage or domestic partnership. (NOTE: This statute allows exemption for a "registered domestic partnership," but this applies only where such registration is available.) <b>If a same-sex couple cannot register as domestic partners, they do not fall under this exemption and are ineligible from serving as a health-care agent for their same-sex partner.</b>	

<b>INSURANCE LAW</b>	
No.	MINN. STAT. §
<b>361</b>	47.016
Officers, directors, employees and shareholders of a financial institution, and any of their spouses, may not retain commissions or other income from the sale of credit insurance in connection with a loan made by the financial institution. <b>The same-sex partner of an officer, director or shareholder remains eligible to sell credit insurance related to a loan made by the financial institution.</b>	
No.	MINN. STAT. §
<b>362</b>	576.121
The spouse of an individual who has been found to be an absentee may receive advance payment from the individual's life insurance if needed for support. <b>A same-sex partner is not expressly authorized by the statute to receive such advance payments.</b>	
No.	MINN. STAT. §
<b>363</b>	576.122
The spouse of an absent individual must prove that he or she is married to the absentee. <b>The statute does not provide consideration for same-sex partners of an absentee.</b>	
No.	MINN. STAT. §
<b>364</b>	60A.082
A group insurance policy, defined in Minn. Stat. § 60A.02 as an employer's policy covering not less than two employees and dependants including their husband or wife, must extend coverage when there is a change in insurance carriers. <b>A same-sex partner has no such right to the same continuation of coverage.</b>	
No.	MINN. STAT. §
<b>365</b>	60K.42
The surviving spouse of a person licensed to sell insurance may receive a temporary license if it is needed to continue the business. <b>The statute does not authorize a temporary license for a same-sex partner.</b>	
No.	MINN. STAT. §
<b>366</b>	61A.092
A surviving spouse has the right to have a health insurance policy offered at his or her own expense after the policy of the deceased employee ends. <b>A same-sex partner is not eligible for such health insurance.</b>	

No.	MINN. STAT. §
<b>367</b>	61A.12, subd 2
A life insurance policy left for the benefit of an individual's spouse must go directly to that spouse. <b>There is no similar provision regarding payment of life insurance to same-sex partners.</b>	
<b>368</b>	61A.12, subd 4
An individual may change the beneficiary on a life insurance policy after a divorce. <b>There is no automatic right to change the beneficiary designation of a life insurance policy at the end of a same-sex relationship.</b>	
<b>369</b>	61A.24
There are special provisions regarding the cash surrender value of certain group life insurance policies that insure a spouse. <b>This section does not apply to policies for same-sex partners.</b>	
<b>370</b>	62A.03
Health or accident insurance policies may cover only one person unless the second person is a spouse or a dependent. <b>A same-sex partner does not have a statutory right to be included in a joint insurance policy.</b>	
<b>371</b>	62A.10
An individual's spouse is eligible to be covered by group insurance. <b>A group policy is not required to cover an employee's same-sex partner.</b>	
<b>372</b>	62A.146
A health care insurer cannot cancel a policy under which a surviving spouse is covered until specified times. <b>The statute does not protect an individual receiving domestic partner benefits.</b>	
<b>373</b>	62A.17
A surviving spouse has a right to have an individual insurance policy offered at his or her own expense after the deceased employee's group policy ends. <b>A same-sex partner is not eligible for such health insurance.</b>	

No.	MINN. STAT. §
<b>374</b>	62A.20
Certain health insurance has to allow a spouse to continue coverage when that spouse is covered by the married partner's policy and that person becomes covered by social security; the insurer must provide instructions necessary to enable the spouse to elect to continue coverage. <b>A same-sex partner does not have the same right to this type of health insurance coverage under a partner's policy.</b>	
<b>375</b>	62A.21
Certain health insurance that covers a spouse in addition to the insured cannot terminate solely because of divorce. <b>If a same-sex couple ends their relationship, there is no similar guarantee of continued coverage for this type of health insurance.</b>	
<b>376</b>	62C.142
Health insurance policies provided by a nonprofit health service plan cannot terminate solely because of divorce. <b>If a same-sex couple ends their relationship, there is no similar guarantee of continued coverage for this type of health insurance.</b>	
<b>377</b>	62D.101
A health maintenance contract shall contain a provision for allowing coverage after divorce. <b>If a same-sex couple ends their relationship, there is no similar guarantee of continued coverage for this type of health insurance.</b>	
<b>378</b>	62D.105
A health maintenance contract must allow a spouse to continue coverage when the spouse is covered by the married partner's policy and that person becomes covered by social security. <b>A same-sex partner does not have the same right to this type of health insurance coverage under their partner's policy.</b>	
<b>379</b>	62E.04
An insurer under the Comprehensive Health Insurance Act may not deny or reduce benefits because services are rendered to a "dependent," which is defined in Minn. Stat. § 62E.02 to include a spouse. <b>A same-sex partner does not have the same right to benefits or services for this type of insurance.</b>	



No.	MINN. STAT. §
<b>380</b>	62L.02
A spouse is considered a dependent under this section and therefore is entitled to certain rights, and certain obligations are imposed for purposes of the Small Employer Health Benefit Act. <b>A same-sex partner is not considered a dependent for purposes of this act.</b>	
<b>381</b>	62L.03
Preexisting exclusions may not be excluded for spouses of employees for more than 12 months, and a health carrier must offer coverage to any eligible employee or dependent who enrolls in Minnesota Comprehensive Health Association. <b>A same-sex partner does not have these protections.</b>	
<b>382</b>	62L.04
A health carrier must offer continuation of coverage without underwriting restrictions to dependents, including a spouse, if the providing employer elects not to purchase a health benefits plan. <b>A same-sex partner does not have the same right to this type of health insurance coverage under the partner's policy.</b>	
<b>383</b>	62L.045
Associations offering health coverage to small employers must comply with requirements of the Small Employer Health Benefit Act, including requirements extending to dependents (which is defined as including an employee's spouse). <b>A same-sex partner does not have these protections.</b>	
<b>384</b>	62L.05
Health carriers offering health plans to small employers may not define "dependent" more restrictively than in Minn. Stat. § 62L.02, which includes spouses. <b>A same-sex partner does not have these protections.</b>	
<b>385</b>	62L.056
An employer may elect to offer coverage to dependents, including spouses, of eligible employees, and a health carrier must offer coverage if the employer elects it. <b>A same-sex partner does not have these protections.</b>	
<b>386</b>	62L.08
Premium rates for health benefit plans sold to small employers may use rate cells to determine premiums, but those rate cells may not reflect marital status or differences in expected costs between employees and spouses. <b>A same-sex partner is not excluded from the rate cells.</b>	

No.	MINN. STAT. §
<b>387</b>	62L.12
A small employer may not encourage or direct an employee to cause coverage to be issued on different terms because of an employee's dependent's, including spouse's, health status. <b>A same-sex partner does not have these protections.</b>	
<b>388</b>	64B.39
Beneficiary associations are allowed to insure benefits for their members, families or relatives. <b>A same-sex partner does not have the same right to this type of health insurance coverage.</b>	
<b>389</b>	65B.001
"Private passenger vehicle insurance," as that term is used in Chapter 65B, is defined to include the insured and any relative who is a resident of same household. Therefore protections afforded under the chapter related to automobile insurance are extended to selected relatives of the insured. <b>Such coverage does not extend to same-sex partners.</b>	
<b>390</b>	65B.47
If a spouse is injured while driving or using a vehicle provided by the other spouse's employer, then the security for payment of basic economic loss benefits is the security covering the vehicle or, if none, the security under which the injured person is insured. <b>A same-sex spouse is not entitled to the same calculation and therefore may not be entitled to economic loss benefits.</b>	
<b>391</b>	65B.51
There is an exception to the general rule that individuals cannot recover non-economic damages resulting from a motor vehicle accident when free medical care is provided by a relative. <b>The same is not true if the free care is provided by a same-sex partner.</b>	
<b>392</b>	72A.20, subd 23
No insurer shall refuse motor vehicle insurance on account of divorce. <b>A same-sex couple that ends their relationship is not afforded this same protection.</b>	

LABOR AND EMPLOYMENT	
No.	MINN. STAT. §
<b>393</b>	122A.40
A teacher cannot be hired in a district where he or she is related to a school board member by blood or marriage unless hired by a unanimous vote of the board. <b>The same-sex partner of a school board member is not disqualified under this statute.</b>	
No.	MINN. STAT. §
<b>394</b>	176.041
The Workers' Compensation Act does not extend to spouses engaged as employees in certain circumstances, including when these spouses are employed by a sole proprietorship or family farm. <b>The act would extend to all same-sex partners.</b>	
No.	MINN. STAT. §
<b>395</b>	179.01
An individual is disqualified from the Labor Relations Act if employed by his or her spouse. <b>One does not suffer a similar disqualification if employed by his or her same-sex partner.</b>	
No.	MINN. STAT. §
<b>396</b>	179.11
It is unfair labor practice to try to compel any person to join or to refrain from joining any labor organization or any strike by threatening the employee or immediate family member. <b>Same-sex partners are not included in this safeguard.</b>	
No.	MINN. STAT. §
<b>397</b>	179.18
An individual is disqualified from the Labor Democracy Union Act if employed by his or her spouse. <b>One does not suffer a similar disqualification if employed by his or her same-sex partner.</b>	
No.	MINN. STAT. §
<b>398</b>	219.77
A railroad common carrier has liability to a surviving spouse if the employee is killed on the job. <b>That liability does not extend to the same-sex partner of the employee.</b>	
No.	MINN. STAT. §
<b>399</b>	219.82
The right of an employee of a common carrier to bring a lawsuit against his or her employer for wrongful death is extended to his or her surviving spouse. <b>This right is not extended to a same-sex partner.</b>	

No.	MINN. STAT. §
<b>400</b>	268.035
The Unemployment Insurance Act excludes employees who are employed by their spouse from receiving unemployment benefits. <b>Employees employed by their same-sex partner are not excluded from unemployment benefits.</b>	
No.	MINN. STAT. §
<b>401</b>	268.051
When an employer acquires all or part of a business with "common ownership," which is defined as ownership that includes a spouse, the employer acquires the appropriate share of that business' experience rating history for purposes of unemployment insurance. <b>The same is not true when an employer acquires a business that is not under "common ownership."</b>	
No.	MINN. STAT. §
<b>402</b>	268.085
Unemployment benefits may not be used if a spouse owns at least 25 percent of the employer's business. <b>The same is not true when the same-sex partner of the employer owns 25 percent or more of the business.</b>	
No.	MINN. STAT. §
<b>403</b>	268.087
Unemployment benefits due at the time of death will be paid to the surviving spouse. <b>A same-sex partner does not receive the same benefit.</b>	
No.	MINN. STAT. §
<b>404</b>	43A.181
A state employee may use vacation time to pay for time off taken due to a spouse's illness. <b>An employee is not similarly authorized to use sick time to care for a same-sex partner.</b>	
No.	MINN. STAT. §
<b>405</b>	43A.27
A spouse of an eligible person may purchase the insurance and benefit coverage listed in this subdivision if the spouse was a dependent under the retired employee's coverage at the time of the retiree's death. <b>A same-sex partner does not have the same right to coverage.</b>	
No.	MINN. STAT. §
<b>406</b>	43A.316
Eligibility to participate in an individual retirement plan extends to a surviving spouse. This statute sets terms for eligibility. <b>A same-sex partner does not have the same right to participate in their partner's retirement plan.</b>	



No.	MINN. STAT. §
<b>407</b>	43A.317
An employer may elect to cover the spouse of an eligible employee or retiree under the Minnesota Employees Insurance Program. <b>A same-sex partner does not have the same right to coverage under this program.</b>	
<b>408</b>	43A.318
An "eligible person," defined to include a spouse, may receive long-term care coverage. <b>A same-sex partner does not have the same right to coverage under this program.</b>	
<b>409</b>	43A.38
It is a conflict of interest for an employee of a state agency to use his or her official position to try and procure benefits for his or her immediate family. <b>The same-sex partner of a state employee does not have the same obligation, and thus could avoid this conflict-of-interest provision.</b>	
<b>410</b>	611A.036
An employer must allow the spouse of a victim of a heinous crime reasonable time off from work to attend criminal proceedings related to the victim's case. <b>A state employee does not have the same right to take time off to attend similar proceedings for his or her same-sex partner.</b>	
<b>MILITARY</b>	
<b>411</b>	43A.11
A hiring preference is extended to the surviving spouse of a deceased or disabled veteran who, because of the disability, is unable to qualify for certain state jobs. <b>A same-sex partner receives no such preference.</b>	
<b>412</b>	168.125
The spouse of a former prisoner of war (POW) has a right to continue to receive POW license plates. <b>A same-sex partner has no similar right.</b>	

No.	MINN. STAT. §
<b>413</b>	171.27
The spouse of an individual engaged in active military duty in certain circumstances is not required to renew his or her driver's license until 90 days after the spouse in the military returns. <b>The same right does not extend to same-sex partners.</b>	
<b>414</b>	181.947
An individual has the right to unpaid leave when a spouse is injured or killed during active military duty. <b>A same-sex partner does not have a comparable right.</b>	
<b>415</b>	181.948
An individual has the right to unpaid leave from work to attend his or her spouse's send-off or return from a military tour of duty. <b>A same-sex partner does not have a comparable right.</b>	
<b>416</b>	196.08
A surviving spouse has a tangible interest in the military records of his or her married partner and therefore may receive information in his or her military record upon providing identification. <b>A same-sex partner does not have a similar right to access records.</b>	
<b>417</b>	190.19
The money from a "support our troops" account may be granted to the spouse of a member of the military. <b>Same-sex partners cannot to receive monies from this fund.</b>	
<b>418</b>	192.38
An individual is entitled to emergency benefits upon the death of a spouse if the spouse dies while enlisted in the military. <b>The same right does not extend to same-sex partners.</b>	
<b>419</b>	192.501
The surviving spouse of a Minnesota National Guard Member is entitled to receive a tuition reimbursement grant if the guard member is killed in the line of duty. <b>A same-sex partner does not have a similar right to tuition benefits.</b>	

No.	MINN. STAT. §
<b>420</b>	192.502
	Family members of a student enrolled in a postsecondary institution may provide notice to the educational institution that the student was ordered to active military service, treatment or recovery. <b>A same-sex partner is not among those who could provide such notice, because he or she is not considered a family member.</b>
<b>421</b>	197.455
	Veterans preference within civil service extends to the surviving spouse of an individual who was the member of the military. <b>Same-sex partners are not given similar preference.</b>
<b>422</b>	197.63
	The surviving spouse of a deceased veteran has the right to certified copies of records without charge when used for application for veterans' benefits. <b>The fees are not waived for same-sex partners.</b>
<b>423</b>	197.752
	The spouse of an individual who was a POW or MIA may receive free tuition if he or she is accepted to a state educational institution. <b>A same-sex partner does not have a similar right to tuition benefits.</b>
<b>424</b>	197.79
	A surviving spouse is a beneficiary under the statute and may be entitled to a veteran's bonus under certain circumstances. <b>A same-sex partner is not considered a beneficiary and therefore is ineligible for the same veteran's bonus.</b>
<b>425</b>	203B.02
	An individual who is married to a member of the military has the right to vote by absentee ballot. <b>The same-sex partner of a member of the military does not have a similar authorization to vote by absentee ballot.</b>
<b>426</b>	256J.11
	A spouse who is a noncitizen is exempt from the five-year exclusionary period for the Minnesota Family Investment Program if his or her married partner is enlisted in the U.S. military or a veteran thereof. <b>The same-sex partner of military personnel is not eligible for the same exemption.</b>

No.	MINN. STAT. §
<b>427</b>	273.13
	A surviving spouse of a veteran retaining a special housing unit as a homestead may retain class 1(b) homestead classification. <b>The same is not true for the surviving same-sex partner of the decedent.</b>
<b>428</b>	289A.39
	The tax extension for service members applies to the spouse of a service member if filing joint return. <b>The same-sex partner of a service member cannot receive any extension for filing of taxes.</b>
<b>429</b>	290.01
	A spouse whose marital partner is in the armed forces is exempt from the residence requirement for domicile. <b>The same benefit is not extended to same-sex couples.</b>
<b>430</b>	290.0677
	If a citizen of Minnesota is killed in the line of military duty, his or her spouse is eligible for a tax credit. <b>The same-sex partner of a Minnesota citizen killed in the line of military duty does not receive the same credit.</b>
<b>431</b>	349.12
	Certain charitable gambling profits may be used to provide support services to active military members and their immediate family members. <b>The monies are not available to the same-sex partner of an active member of the military.</b>
<b>432</b>	462A.05
	The surviving spouse of a veteran is eligible for a no-interest loan to put toward the purchase of a home. <b>The same is not available to a same-sex partner of a veteran.</b>
<b>433</b>	523.24
	The individual entitled to act under a Power of Attorney for military service means that individual can apply for benefits for the service member or anyone related to the service member by blood or marriage. <b>The individual has no power to act on behalf of a same-sex partner; no benefits are extended to a same-sex partner.</b>

PROPERTY TAXES	
No.	MINN. STAT. §
<b>434</b>	273.124, subd. 1(c)  If relatives of the owner occupy residential real estate, then the property still qualifies for the homestead tax credit to the same extent it would qualify if the owner occupied the property. <b>"Relative" is defined to include family and spouses, but not same-sex partners.</b>
No.	MINN. STAT. §
<b>435</b>	273.124, subd. 1(e)  If residential real estate is owned by a married person, then the homestead tax credit will not be denied if only one of the spouses occupies the property and the other spouse is absent due to: 1) marriage dissolution proceedings, 2) legal separation, 3) employment or self-employment in another location, or 4) other personal circumstances causing the spouses to live separately. <b>The same does not apply to a same-sex couple that is required to live apart.</b>
No.	MINN. STAT. §
<b>436</b>	273.124, subd. 1(g)  In certain circumstances, if an individual is purchasing property with the intent of claiming it as a homestead and is required by the terms of the financing agreement to have a relative shown on the deed as a co-owner, the assessor shall allow a full homestead classification. <b>A same-sex partner could not be the co-owner because he or she is not considered a relative.</b>
No.	MINN. STAT. §
<b>437</b>	273.1384  For the purposes of the "market value homestead credit," the owner-occupant's spouse must occupy the property in order for the owner-occupant to claim the full ownership percentage in credit. <b>The same is not true for the same-sex partner of the owner.</b>
No.	MINN. STAT. §
<b>438</b>	290A.18  If a married person is entitled to a property tax refund and dies, the surviving spouse may file a claim for the refund. <b>A same-sex partner does not have a similar right to file a claim for a refund due to a deceased partner.</b>
No.	MINN. STAT. §
<b>439</b>	290B.03  To qualify for the senior citizens' property tax deferral program, both spouses must be over 65, among other requirements. <b>The same is not true for a same-sex couple.</b>

No.	MINN. STAT. §
<b>440</b>	510.04  The primary residence (homestead) of a married couple is protected against creditor claims, except in certain circumstances; this statute provides that the protection extends to both spouses, even if the title is solely in the name of one individual. <b>The same is not true for same-sex partners.</b>
No.	MINN. STAT. §
<b>441</b>	510.06  The homestead status of real estate is not affected by the death of a spouse; nor by abandonment. <b>The same may not be true in the death of a same-sex partner.</b>
REAL PROPERTY	
No.	MINN. STAT. §
<b>442</b>	306.15  An individual's spouse is required to sign the agreement of sale for a burial plot filed with a cemetery before he or she may sell the plot. <b>The same authorization is not required for a same-sex partner.</b>
No.	MINN. STAT. §
<b>443</b>	306.29  The transfer of cemetery lots by will is limited to relatives; no one, unless related to the owner by blood or marriage, may be buried in the public cemetery plot owned by the individual. <b>The same-sex partner of the owner cannot be buried in a public cemetery plot.</b>
No.	MINN. STAT. §
<b>444</b>	507.02  If an owner of real estate is married, no conveyance of property is valid (except that between spouses) without signature of both partners of the married couple. <b>For a same-sex couple, the signatures of both partners is not required for either to sell real estate he or she owns individually.</b>

No.	MINN. STAT. §
<b>445</b>	508.02
Registering real estate does not change any rights, duties or obligations regarding marital property. <b>A same-sex couple may hold a joint interest in registered land without the protections of marital property.</b>	
No.	MINN. STAT. §
<b>446</b>	508.05
If an applicant to register land as Torrens property is married, his or her spouse must acknowledge the application by signing the application or other instrument, otherwise the spouse is made a defendant. <b>There is no similar provision regarding same-sex partners.</b>	
No.	MINN. STAT. §
<b>447</b>	508.22
Once a decree is entered and a parcel of real estate becomes registered Torrens property, any claim that a defendant or his or her spouse may have had against the registered owner is forever quieted. <b>A same-sex partner may still hold the right to raise claims against the registered owner if that individual also had an interest in the property but was not named as a defendant.</b>	
No.	MINN. STAT. §
<b>448</b>	508.71
An owner of registered land may petition the court regarding a change of marital status. <b>A same-sex partner cannot petition the court to have his or her partner added to the title.</b>	
No.	MINN. STAT. §
<b>449</b>	508A.71
A person who holds a certificate of possessory title may petition the court regarding a change of marital status. <b>A same-sex partner cannot petition the court to have his or her partner added to the certificate.</b>	
No.	MINN. STAT. §
<b>450</b>	519.06
Real estate contracts between spouses are invalid; spouses are held to have notice of the debts of the other. <b>A same-sex couple may enter into real estate contracts and therefore avoid certain obligations and claim no notice of the other's debt.</b>	
No.	MINN. STAT. §
<b>451</b>	519.07
An individual may petition the court to bar his or her spouse from obtaining a full interest in real estate if that spouse is incapacitated or has deserted them. <b>A same-sex partner has no such right to bar the future interest of a partner who is incapacitated or deserts them.</b>	

No.	MINN. STAT. §
<b>452</b>	558.28
A married person may release to a spouse a contingent interest in real estate. <b>A same-sex partner has no such right to give an interest in real estate to his or her partner in a similar manner.</b>	
No.	MINN. STAT. §
<b>453</b>	576.04
If the spouse of an individual cannot be found, that individual may bring a petition to take possession of his or her spouse's property. <b>A same-sex partner does not have the right to bring a petition in a similar situation.</b>	
No.	MINN. STAT. §
<b>454</b>	576.08
The spouse of an individual who cannot be found will be given preference by the court to receive the property of the missing individual. <b>The same preference is not extended to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>455</b>	576.13
The court may use proceeds from the sale of a missing person's property to provide support to the missing person's spouse. <b>The court has no authority to provide similar support to a same-sex partner.</b>	
<b>RECREATIONAL</b>	
No.	MINN. STAT. §
<b>456</b>	84.8205
A state trail sticker is not required for a trail owned by a spouse. <b>The same is not true if the trail is owned by a same-sex partner.</b>	
No.	MINN. STAT. §
<b>457</b>	86B.341
For the purpose of imposing liability, it is presumed that an owner has knowledge that his or her spouse is operating their watercraft, or has consented to the same. <b>The same is not true if a same-sex partner is the owner of the watercraft.</b>	

No.	MINN. STAT. §
<b>458</b>	97A.441
The holder of a license to hunt deer on one's own land may transfer the same license to his or her spouse. <b>The license may not be transferred to a same-sex partner.</b>	
No.	MINN. STAT. §
<b>459</b>	97A.475, subd 7(6)
A combined fishing license exists for spouses. <b>There is no joint license for a same-sex couple.</b>	
No.	MINN. STAT. §
<b>460</b>	97A.475, subd 8(2)
Categories of combined fishing and sporting licenses exist for spouses. <b>Same-sex partners are not eligible for these joint licenses.</b>	
<b>SOCIAL SERVICES</b>	
No.	MINN. STAT. §
<b>461</b>	Chapter 119B
Family eligibility for child-care assistance under this chapter is determined based upon family income. Under Minn. Stat. § 119B.11, "family" is defined as parents, step-parents, guardians and their spouses, or other eligible relative caregivers and their spouses, and their blood-related dependent children and adoptive siblings under the age of 18 years living in the same home. <b>Income of a same-sex partner would not be similarly considered in determining eligibility.</b>	
No.	MINN. STAT. §
<b>462</b>	237.70
An application for financial assistance for a telephone may be made by the spouse of the account holder. <b>The application for financial assistance could not be filed by the same-sex partner of the account holder.</b>	
No.	MINN. STAT. §
<b>463</b>	245B.04
For purposes of facilities providing services to the developmentally disabled, the consumer's rights include the right to privacy for marital visit or the right to share the same bed if both married partners are residents of the site. <b>The same rights are not extended to consumers in a same-sex relationship.</b>	

No.	MINN. STAT. §
<b>464</b>	246.70
Family members must be notified of changes to the facility or the services provided to the facility resident. <b>The same-sex partner of a resident would not have a similar right to notice under the statute.</b>	
No.	MINN. STAT. §
<b>465</b>	252.27, subd. 2a(a)
Parents of a developmentally disabled minor child in 24-hour out-of-home care are obliged to pay for services unless the child is married or has been married. <b>The obligation for the parents would not be terminated if the child was a part of a committed same-sex couple.</b>	
No.	MINN. STAT. §
<b>466</b>	252.27, subd. 2a(h)
Contributions by parents for care of a developmentally disabled minor child in 24-hour out-of-home care must be increased by 5 percent if insurance coverage is available to a family member but not obtained. <b>The same penalty would not be extended if the same-sex partner of a parent is the one with the access to health benefits.</b>	
No.	MINN. STAT. §
<b>467</b>	252A.16
The spouse of a developmentally disabled individual has the right to review the annual evaluation of that individual kept on file with the Minnesota Department of Human Services. <b>A same-sex partner is not granted similar access to the file.</b>	
No.	MINN. STAT. §
<b>468</b>	256.045
A state agency hearing is available to a relative in certain human services matters. <b>A same-sex partner has no such right to an administrative hearing.</b>	
No.	MINN. STAT. §
<b>469</b>	256.935
The Minnesota Family Interest Program will not pay funeral expenses if there is a spouse who can pay the expenses. <b>The program does not consider a same-sex partner's ability to pay.</b>	
No.	MINN. STAT. §
<b>470</b>	256B.0623
Adult rehabilitative services may be provided in the home of a relative or significant other. <b>A same-sex partner is not considered a legal relative and may or may not be considered a significant other.</b>	

No.	MINN. STAT. §
<b>471</b>	256B.0625
Medical assistance will not reimburse personal care services provided by a caretaker spouse. <b>Personal care services provided by a same-sex partner are not disqualified from reimbursement under the statute.</b>	
<b>472</b>	256B.0654
Specialized nursing services provided by a spouse may be reimbursed by medical assistance if extraordinary conditions are met. <b>The same standard does not apply to specialized nursing skills provided by a same-sex partner.</b>	
<b>473</b>	256B.0914
A person who participates in a Medicaid expenditure in which the person has a financial interest, defined to include the interests of an individual's spouse, is subject to criminal penalties. <b>A same-sex couple could avoid this obligation.</b>	
<b>474</b>	256B.0919
Certain relatives authorized to provide adult foster care may be reimbursed despite general prohibition against such reimbursement if the relative would suffer financial hardship as a result of providing care. <b>A same-sex partner is afforded no such reimbursement.</b>	
<b>475</b>	256D.23
Certain general assistance benefits are calculated based on marital status of the recipients. <b>A same-sex couple is not given the family allowance under this statute.</b>	
<b>476</b>	256D.44
Assistance for home and community-based care or residential group home care is calculated based on the marital status of the recipients. <b>A same-sex couple would not be given the family allowance under this statute.</b>	
<b>477</b>	256J.08
The spouse of any number of blood relatives of a child can assume the role of caregiver for the child and thereby take actions under the Minnesota Family Investment Program as the "caregiver" for the child. <b>The same-sex partner of a family member can't take the same actions on behalf of the child.</b>	

No.	MINN. STAT. §
<b>478</b>	256J.12
The eligibility of a minor child for the Minnesota Family Investment Program depends upon the residency status of their relative caregiver. <b>Relative caregivers include a spouse or ex-spouse of any one of the blood relatives listed at Minn. Stat. § 256J.08, subd. 11, but not the same-sex partner of those persons.</b>	
<b>479</b>	256J.14
A minor parent may reside in the home of another adult relative or caregiver (who may be appointed by the court) and still is eligible for Minnesota Family Investment Program. <b>Relative caregivers include a spouse or ex-spouse of any one of the blood relatives listed at Minn. Stat. § 256J.08, subd. 11, but not the same-sex partner of those persons.</b>	
<b>480</b>	256J.21
When an individual applies for assistance from the Minnesota Family Investment Program, he or she is allowed to disregard a certain amount for support of an ineligible spouse or child. <b>There is no allowance for support of the same-sex partner.</b>	
<b>481</b>	256J.24
In certain instances the spouse of a Minnesota Family Investment Program applicant must be considered a part of the assistance unit. <b>The same-sex partner is not similarly considered a part of the assistance unit.</b>	
<b>482</b>	256J.30
Marriage or divorce of an assistance unit member must be reported to the Minnesota Family Investment Program agency within 10 days. <b>No similar requirement exists for same-sex couples entering into a long-term commitment.</b>	
<b>483</b>	256J.33
The monthly eligibility calculations for the Minnesota Family Investment Program include the income of a relative and spouse who seek to be included in the assistance unit. <b>The eligibility calculations cannot similarly be enhanced or reduced due to the income of a same-sex partner.</b>	

No.	MINN. STAT. §
<b>484</b>	256J.36
This statute defines the amount that may be allocated for ineligible spouse (intersects Minn. Stat. § 256J.24). <b>There is no allowance for support of same-sex partner.</b>	
<b>485</b>	256J.37
Eligibility of a noncitizen for Minnesota Family Investment Program is based upon income of sponsor and sponsor's spouse. <b>Income contributions of a same-sex partner are not considered.</b>	
<b>486</b>	256J.396
Minnesota Family Investment Program allocation to minor parents or caregivers is based on the number of family members in the household. <b>A same-sex partner is not counted as a member of the household.</b>	
<b>487</b>	256J.425
Minnesota Family Investment Program hardship extension applies to an individual caring for a relative in the household. <b>The extension does not apply to someone caring for his or her same-sex partner in the household.</b>	
<b>488</b>	256J.45
An individual receiving assistance under the Minnesota Family Investment Program has good cause for missing orientation if caring for a sick family member. <b>This exception does not extend to those caring for a same-sex partner who is ill.</b>	
<b>489</b>	256J.561
A Minnesota Family Investment Program participant can get a waiver from the work requirement if a professional determines that the participant is needed in-home to care for an ill or incapacitated family member. <b>This exception does not extend to those caring for a same-sex partner who is sick.</b>	
<b>490</b>	256J.57
Certain sanctions provided under the Minnesota Family Investment Program may be excused for good cause, including caring for an ill family member. <b>This exception does not extend to those caring for a same-sex partner who is sick.</b>	

No.	MINN. STAT. §
<b>491</b>	256J.95
Participants whose presence is required in the home as a caregiver because of the illness, injury or incapacity of a family member, or relative in the household, are considered unlikely to benefit from the Diversionary Work Program and are referred to the Minnesota Family Investment Program. <b>The statute does not provide for a similar transfer if the participant is caring for a same-sex partner who is ill or injured.</b>	
<b>492</b>	261.035
The county will provide funeral and disposition of remains if neither decedent nor his or her spouse has the resources to do so. <b>The county will not look to the same-sex partner of the decedent to provide funeral expenses.</b>	
<b>493</b>	261.035
Funeral and final disposition provided at the expense of the county shall be in accordance with religious and moral beliefs of the decedent or the decedent's spouse. <b>A county has no obligation to observe the religious beliefs of the same-sex partner of the decedent.</b>	
<b>494</b>	363A.40
Individuals with a disabled family member (or who are disabled themselves) have priority for accessible housing units. <b>The same-sex partner of a disabled individual cannot exercise the same priority on behalf of his or her partner.</b>	
<b>495</b>	462A.2097
The Housing Finance Agency may create a rental housing assistance program for families that include an adult with mental illness. <b>A same-sex couple caring for an adult family member with mental illness may not have access to the same housing assistance program.</b>	
<b>496</b>	469.019
For purposes of determining eligibility for low-income housing, the annual aggregate net income of a family includes the income of a spouse and includes the income of a spouse from child-placement agencies but does not include the first \$300 earned by spouse. <b>A same-sex couple would not have to combine income to determine eligibility for low-income housing.</b>	



TAXES	
No.	MINN. STAT. §
<b>497</b>	270A.03 subd. 7
A joint property tax refund belongs to each spouse in the proportion of their income, and one spouse may request a portion of his or her refund if he or she does not owe an obligation. <b>Same-sex couples do not have the option to file jointly.</b>	
No.	MINN. STAT. §
<b>498</b>	290A.03 subd. 3(3)(f)
An income tax deduction is allowed if the claimant's spouse attained age 65 or was disabled before the end of the year. <b>The same is not true for a same-sex partner even if the couple lives together as one economic unit.</b>	
No.	MINN. STAT. §
<b>499</b>	290A.08
Spouses married during the tax year may elect to file jointly; those married during the entire year must file jointly. <b>A same-sex couple does not and cannot file jointly even if living together as one economic unit.</b>	
No.	MINN. STAT. §
<b>500</b>	270C.445
Obligations of tax preparers under this statute do not apply to tax preparation services provided by a tax preparer for the spouse of the preparer. <b>These obligations are not waived if the tax preparer prepares the return of his or her same-sex partner.</b>	
No.	MINN. STAT. §
<b>501</b>	273.118
The tax benefit for a congressional medal of honor is extended to a surviving spouse of a recipient, provided he or she retains the homestead. <b>The same benefit is not extended to the same-sex partner of the decedent.</b>	
No.	MINN. STAT. §
<b>502</b>	289A.31
An innocent spouse may be relieved from underpayment of income-tax liability by the other spouse. <b>A same-sex partner does not carry the same obligation.</b>	

No.	MINN. STAT. §
<b>503</b>	289A.50
The maximum amount that the state can withhold from a joint tax filing for child-support is the portion of the adjusted gross income that can be attributed to the obligor. This statute protects an innocent spouse from having to pay the child support obligation of their spouse. <b>A same-sex couple is not under the same obligation.</b>	
No.	MINN. STAT. §
<b>504</b>	290.06
The income tax rate for single persons and married persons, dependent on income, may result in a "marriage penalty" or "marriage benefit." <b>Same-sex couples are never saddled with a similar penalty or benefit, regardless of whether they are living together as one economic unit.</b>	
No.	MINN. STAT. §
<b>505</b>	290.067
For the purposes of the dependent-care credit, annuities funded by the spouse of the individual are not classified as income for tax purposes. <b>The same is not true for an annuity that was funded by a same-sex partner.</b>	
No.	MINN. STAT. §
<b>506</b>	290.0671
Income limits for claiming the working-family credit are increased for a married spouse filing tax returns. <b>A same-sex couple does not receive similar consideration even if they are living together as one economic unit.</b>	
No.	MINN. STAT. §
<b>507</b>	290.0672
A long-term care insurance credit against income tax liability is available for the taxpayer and the taxpayer's spouse. <b>It is not available jointly to a same-sex couple even if they live together as one economic unit.</b>	
No.	MINN. STAT. §
<b>508</b>	290.0674
In the case of a married claimant, a credit is not allowed unless a joint income tax return is filed. <b>A same-sex couple does not have a similar obligation even if they are living together as one economic unit.</b>	

No.	MINN. STAT. §
<b>509</b>	290.0802
For purpose of qualified individuals under section 22(b) of the United States Internal Revenue Code, the exemption amount is based upon marital status. <b>A same-sex couple is not counted together even if they are living together as one economic unit.</b>	
No.	MINN. STAT. §
<b>510</b>	290.091
Depending on income, and for the purpose of determining the alternative minimum tax, the exemption amount is based upon marital status. <b>A same-sex couple is not counted together for tax purposes even if they are living together as one economic unit.</b>	
No.	MINN. STAT. §
<b>511</b>	383A.03
Ramsey County may levy a tax to provide county employees and their spouses with insurance protection. <b>A same-sex partner would not benefit from any insurance protection provided under this statute.</b>	

TRANSPORTATION	
No.	MINN. STAT. §
<b>512</b>	168.27
The spouse of a motor vehicle dealer is permitted to drive a dealership vehicle for purposes other than business. <b>A same-sex partner has no similar right.</b>	
No.	MINN. STAT. §
<b>513</b>	171.02
A class D license allows operation of all farm trucks if the licensee is a farmer or immediate family member of the farmer. <b>A same-sex partner does not have status as a family member.</b>	
No.	MINN. STAT. §
<b>514</b>	171.06
The application for driver's license can include the married person's premarrriage surname as a substitute for a middle name. <b>Same-sex partners who chose to undergo a name change as a part of their partnership do not have a similar right.</b>	
No.	MINN. STAT. §
<b>515</b>	171.121
The owner of a residence cannot disqualify his or her spouse from using that address on his or her driver's license. <b>The owner could disqualify a same-sex partner from utilizing the address.</b>	