

Publications

Supreme Court Same-Sex Marriage Ruling Likely to Require More Changes

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PUBLISHED

07/21/2015

SERVICES

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On June 26, 2015, the United States Supreme Court (Court) issued its long-awaited opinion in *Obergefell v. Hodges*, ruling in a 5-4 vote that the Fourteenth Amendment to the United States Constitution generally requires states to license a marriage between two people of the same sex, thus completing the march toward recognition of same-sex marriage the Court initiated two years ago in *US v. Windsor*. Specifically, in *Obergefell*, the Court held that the Fourteenth Amendment requires a state to not only license the marriage of same-sex couples but also to recognize a same-sex marriage when the marriage was lawfully licensed and performed outside of the state. The ruling means that state laws that limited marriage to opposite-sex couples are invalid.

We comment in the attached memo on the key issues for employers to review in determining whether changes are needed to their employee benefit plans and tax and payroll practices.

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