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H.315

Introduced by Representatives Komline of Dorset, Poirier of Barre City,
Pearson of Burlington, Campion of Bennington, Christie of
Hartford, Clarkson of Woodstock, Conquest of Newbury,
Consejo of Sheldon, Copeland-Hanzas of Bradford, Dakin of
Chester, Fisher of Lincoln, Jerman of Essex, Johnson of South
Hero, Keenan of St. Albans City, Kitzmiller of Montpelier,
Lippert of Hinesburg, Macaig of Williston, McCarthy of St.
Albans City, McCormack of Burlington, McCullough of
Williston, Michelsen of Hardwick, Partridge of Windham, Pugh
of South Burlington, Ram of Burlington, Stevens of Shoreham,
Toleno of Brattleboro, Trieber of Rockingham, and Wizowaty
of Burlington

Referred to Committee on

Date:

Subject: Health; health insurance; out-of-state employers; benefits; same-sex
couples; parity

Statement of purpose of bill as introduced: This bill proposes to require
employers domiciled outside of Vermont to offer the same health coverage and
benefits to employees with a same-sex spouse as to employees with an
opposite-sex spouse.

1 An act relating to group health coverage for same-sex spouses

2 It is hereby enacted by the General Assembly of the State of Vermont:

3 ~~Sec. 1. 8 V.S.A. § 4063b is added to read:~~

4 ~~§ 4063b. COVERAGE FOR EMPLOYEES OF AN EMPLOYER~~

5 ~~DOMICILED OUTSIDE OF VERMONT~~

6 ~~(a) As used in this section:~~

7 ~~(1) “Health insurance” shall have the same meaning as “group health~~
8 ~~insurance policy or subscriber contract” in section 4091a of this title.~~

9 ~~(2) “Party to a civil union” shall have the same meaning as in 15 V.S.A.~~
10 ~~§ 1201.~~

11 ~~(b) To the extent permitted under federal law, Vermont residents who work~~
12 ~~for an employer domiciled outside of Vermont and who are parties to a civil~~
13 ~~union or same-sex marriage shall be provided with the same health insurance~~
14 ~~coverage and benefits as the employer offers to its employees who are parties~~
15 ~~to a heterosexual marriage.~~

16 Sec. 2. EFFECTIVE DATE

17 ~~This act shall take effect on July 1, 2013.~~

Sec. 1. 8 V.S.A. § 4063b is added to read:

§ 4063b. COVERAGE FOR EMPLOYEES OF AN EMPLOYER

DOMICILED OUTSIDE OF VERMONT

(a) As used in this section:

(1) "Health insurance" shall have the same meaning as "group health insurance policy or subscriber contract" in section 4091a of this title.

(2) "Marriage" shall have the same meaning as in 15 V.S.A. § 8.

(3) "Party to a civil union" shall have the same meaning as in 15 V.S.A. § 1201.

(b) To the extent permitted under federal law, health insurance coverage provided to Vermont residents who work for an employer domiciled outside of Vermont shall not distinguish between parties to a civil union, married same-sex couples, and married opposite-sex couples.

Sec. 2. 21 V.S.A. § 495 is amended to read:

§ 495. UNLAWFUL EMPLOYMENT PRACTICE

* * *

~~(f) The provisions of this section prohibiting discrimination on the basis of sexual orientation or gender identity shall not be construed to change the definition of family or dependent in an employee benefit plan. [Repealed.]~~

* * *

Sec. 3. EFFECTIVE DATE

This act shall take effect on July 1, 2013.