



## DOMESTIC PARTNER BENEFITS

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2009 Wisconsin Act 28 permits same-sex and opposite-sex domestic partners to be treated similarly to spouses for the benefit programs authorized in Chapter 40 of the state statutes. Chapter 40 benefit programs are administered by the Department of Employee Trust Funds (ETF), and include the Wisconsin Retirement System (WRS), group health insurance, deferred compensation, life insurance and other programs. The new provisions are effective on January 1, 2010, **which is the first possible effective date of a domestic partnership for Chapter 40 benefit purposes.**

### GENERAL REQUIREMENTS

1. You must submit a notarized [Affidavit of Domestic Partnership form \(ET-2371\)](#) to ETF to establish a Chapter 40 domestic partnership. You can submit the Affidavit to ETF at any time, but **for Chapter 40 benefit purposes a domestic partnership does not become effective until the date ETF receives your Affidavit or January 1, 2010, whichever is later, regardless of how long your actual relationship has been in effect.**
2. To enroll your domestic partner (and his or her dependents, if applicable), ETF must receive your completed [Affidavit of Domestic Partnership form \(ET-2371\)](#) and a [Group Health Insurance Application/Change form \(ET-2301\)](#) within 30 days after the date that your Chapter 40 domestic partnership becomes effective. ETF will send an acknowledgement of your Affidavit establishing the effective date of your Chapter 40 domestic partnership.

### IMPORTANT CONSIDERATIONS

**There is no connection between the Domestic Partner Registry and the Domestic Partnership for benefits administered by ETF.** The forms ETF will use to verify the creation and dissolution of a domestic partnership are the ETF Affidavits, not the domestic partner registry.

**You should submit an Affidavit of Domestic Partnership to ETF even if not applying for health insurance benefits for your domestic partner.** You must have established a Chapter 40 domestic partnership with ETF for your domestic partner to be eligible for certain benefits in the event of your death.

**Adding a domestic partner to your health insurance can affect your tax liabilities.** Due to federal law, adding a domestic partner and his/her dependents to your group health insurance coverage can increase your taxable income. Please consult your tax professional before adding a domestic partner to fully determine how your specific tax situation may be affected.

**Consider filing a beneficiary designation form.** Upon your death, ETF will pay your WRS death benefits and any group life insurance benefits according to the latest [Beneficiary Designation form \(ET-2320\)](#) received by ETF prior to your death, regardless of any changes in your personal situation. If you have never filed a beneficiary designation form, ETF will pay any death benefits according to the statutory standard sequence. As of January 1, 2010, if you have filed an [Affidavit of Domestic Partnership \(ET-2371\)](#) (and your domestic partnership has not been terminated prior to your death), by law your domestic partner would be your primary beneficiary under the standard sequence once the domestic partnership becomes effective.

**Please Refer to the Following Domestic Partner Benefits Materials for More Information:**

- [Domestic Partner Benefits brochure \(ET-2166\)](#)
- [Affidavit of Domestic Partnership form \(ET-2371\)](#)
- [Affidavit of Termination of Domestic Partnership form \(ET-2372\)](#)
- [Beneficiary Designation form \(ET-2320\)](#)