

SOUTH BAY HOTEL EMPLOYEES RESTAURANT EMPLOYEES TRUST FUND

DEFINITION OF DOMESTIC PARTNER

- (a) **Domestic** partners are two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring.
- (b) A **domestic** partnership shall be established in California when all of the following requirements are met:
 - (1) Both persons have a common residence.
 - (2) Both persons agree to be jointly responsible for each other's basic living expenses incurred during the **domestic** partnership.
 - (3) Neither person is married or a member of another **domestic** partnership.
 - (4) The two persons are not related by blood in a way that would prevent them from being married to each other in this state.
 - (5) Both persons are at least 18 years of age.
 - (6) Both persons are capable of consenting to the **domestic** partnership.
 - (7) Neither person has previously filed a Declaration of **Domestic** Partnership with the Secretary of State pursuant to this division that has not been terminated under Section 299.
 - (8) Both file a Declaration of **Domestic** Partnership with the Secretary of State pursuant to this division.
- (c) "Have a common residence" means that both **domestic** partners share the same residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. **Domestic** partners do not cease to have a common residence if one leaves the common residence but intends to return.
- (d) "Basic living expenses" means, shelter, utilities, and all other costs directly related to the maintenance of the common household of the common residence of the **domestic** partners. It also means any other cost, such as medical care, if some or all of the cost is paid as a benefit because a person is another person's **domestic partner**.
- (e) "Joint responsibility" means that each **partner** agrees to provide for the other **partner's** basic living expenses if the **partner** is unable to provide for herself or himself. Persons to whom these expenses are owed may enforce this responsibility if, in extending credit or providing goods or services, they relied on the existence of the **domestic** partnership and the agreement of both partners to be jointly responsible for those specific expenses.