

**Equal Opportunity Committee  
July 9th, 2026**

**Summary to Add/Amend the EOO to add “Family and Relationship Structures”**

**What the definition of this new protected classes would be:**

“Family or relationship structure” means the actual or perceived involvement, or lack thereof, of an individual in an intimate personal relationship or relationships, other than a marital relationship. It includes an individual’s actual or perceived affinity, or lack thereof, for any given type of intimate personal relationship, other than a marital relationship, regardless of whether the individual is currently in any intimate personal relationship(s).

“Intimate personal relationship” means an interpersonal relationship, other than a marital relationship, between two or more adult individuals that involves romantic, physical, or emotional intimacy. This includes multi-partner/multi-parent families and relationships, step families, multi-generational households, diverse family structures, consensually nonmonogamous relationships, and consensual sexual and/or intimate relationships, including asexual and aromantic relationships.

These definitions are found in the draft legislation created by a group of legal entities including the Harvard LGBTQ+ Advocacy Clinic, Modern Family Institute, PLAC, and Chosen Family Law Center.

**Why it is needed**

Currently in America only 18% of families fall under the normative “nuclear” family of a marriage and kids. Non-monogamous people make up roughly 5% of the general population of the USA (roughly 17.1 million people, 300k in Wisconsin) and that’s a low number because many are in the closet about the relationship structure.

The EOO currently defines a domestic partnership as between 2 people, limiting multi-parent arrangements. The family status doesn’t recognize blended families, multi generational, or chosen families. There is no protection for relationship structures at all.

**Family Structure** refers to the composition and organization of households and family units.

This includes:

- Multi-generational households where extended family members live together
- Blended families with step-parents and step-siblings
- Single-parent households
- Multi-parent arrangements where more than two adults share parenting responsibilities
- Chosen families formed through deep personal bonds rather than biological ties

**Relationship Structure** describes how consenting adults organize their intimate relationships, whether romantic, emotional, or practical in nature. This encompasses:

- Consensually non-monogamous relationships where adults maintain multiple loving relationships with mutual knowledge and consent
- Polyamorous families where multiple adults may share romantic and familial bonds
- Committed partnerships that may not involve romance or sexuality, including relationships among asexual or aromantic individuals
- Co-parenting arrangements between adults who may not be romantically involved

To ensure Ethically Non-Monogamous (ENM) folks have equal rights in this country, we must first legally recognize the many ways they form relationships and family structures. In all 50 states, it is technically legal to discriminate against non-monogamous folks. We find 50% of ENM folks face discrimination in their lives ([2025 survey](#)) with around 10% facing discrimination in the workplace, in healthcare, and accessing public services.

- In 2024, 1 in 3 home purchases involved co-buyers (non-married individuals buying together), reflecting both housing costs and evolving living arrangements<sup>1</sup>

The city is looking for solutions to its current housing demand and [even exploring building co-housing communities](#) that would fall under these family and relationship structures.

### **How it pertains to protection against discrimination in housing, employment, and public accommodation**

This policy utilizes the same enforcement mechanisms already enshrined in MGO 39.03(10)

### **Examples of discrimination in the City of Madison.**

These are accounts from some in our community about things that affect them:

“I am a single mom and I don’t have a traditional family support system. My close friends and chosen family have been safe people to help with my children while trying to recover emotionally and financially from an abusive ex-relationship. Because of the legal definition of Family, I have had a hard time getting permission for pick up and drop off alternatives at school and daycare. If there were to be a medical emergency or situation where the court decided I could not care for my kids, my children would not be able to be released to my preferred caregivers as they would have no legal custody rights and getting them out in place without marriage is difficult.”

“My long term primary partner and I have a significant age gap in our relationship (20 Years) and for many logistical reasons have decided it doesn’t make sense to legally get married. When it comes to long term health care, there is a concern that I won’t be able to be in the

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<sup>1</sup> CoBuy: “Co-buying & Co-owning a Home 2024 Report.” April 19, 2024

hospital in an emergency situation. When it comes to making important medical decisions, it may be difficult to put me in any of the paperwork(POA, beneficiary, insurance, etc) without a legal document. In this same vein, I would like him to have just as much legal power over my kids as I do, certainly more than their absent other parent. The system is not setup for non-traditional family structures.”

**Please take a close look at the definition of familial status in MGO 39.03(1) & (2). Also, we may want to revisit the definition of domestic partnership in MGO 39.03(2). Do you think other language would need to be changed if the familial status definition is expanded?**

Given that the state of Wisconsin no longer issues Domestic Partnerships after 2018 (recognizing those that registered before 2018) and Dane County only issues them for insurance purposes, changing the Familial Status in MGO 39.03(1) & (2) to the “Family or Relationship Structure” defined above help provide protections to that 82% that don’t fit into the traditional man & woman married relationships and didn’t register as domestic partners before 2018.

Aside from prohibiting discrimination, this ordinance does not grant any additional rights, privileges, or obligations on the basis of family or relationship structure, such as the right to establish a multi-partner domestic partnership, the right to add multiple partners to a healthcare plan, and so on. These protections do not override other relevant sections of city code, such as restrictions on the number of people who may reside in a given residence.

Domestic partnership is an interesting topic. In 2023, Cambridge and Somerville MA were the first to adopt ‘family or relationship structure’. They also passed plural domestic partnerships. [Info about the change](#). But that would be more of a state issue than a city one.