



# House of Representatives

**File No. 903**

General Assembly

January Session, 2015

**(Reprint of File No. 630)**

House Bill No. 7003  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 27, 2015

## ***AN ACT CONCERNING THE VALIDITY OF MARRIAGES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2015*) No marriage shall be
- 2 presumed to be invalid or bigamous because a prior divorce of one of
- 3 the parties that was entered legally in another state or country does not
- 4 meet the jurisdictional requirements of the law of this state.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2015</i>	New section
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The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which ensures the validity of a marriage entered into by someone previously divorced in another state or country, has no fiscal impact.

House "A" strikes the underlying bill and makes a procedural change regarding marriages and does not result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

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**OLR Bill Analysis****HB 7003 (as amended by House "A")\******AN ACT CONCERNING THE VALIDITY OF MARRIAGES.*****SUMMARY:**

This bill provides that a marriage is not presumed invalid or bigamous because one party's prior divorce, which was legally entered in another state or country, does not meet Connecticut's jurisdictional requirements.

\*House Amendment "A" replaces the original file, which declared a state policy to presume that all marriages are valid and a marriage is not invalid or bigamous because of a jurisdictional defect in one party's prior divorce.

EFFECTIVE DATE: July 1, 2015

**BACKGROUND*****Connecticut Divorces and Recognition of Out-of-State Divorce Judgments***

To obtain a divorce decree from a Connecticut court, at least one party must be a state resident. A number of requirements govern dissolution of marriage proceedings (CGS § 46b-40 et seq.).

Divorce judgments from other states are enforceable in Connecticut if both parties entered an appearance in the other state's court proceeding and the judgment does not contravene Connecticut's public policy (CGS §§ 46b-70 et seq.).

Connecticut courts recognize divorce judgments from other countries as a matter of comity (i.e., respect for foreign courts rather than as a legal obligation). But courts do not recognize them under

certain circumstances, such as when the foreign court did not have jurisdiction or did not provide the parties with due process. Jurisdiction generally requires a party to be living in that country at the time of the decree (*Juma v. Aomo*, 143 Conn.App. 51 (2013), citing *Litvaitis v. Litvaitis*, 162 Conn. 540 (1972)).

**COMMITTEE ACTION**

Judiciary Committee

Joint Favorable

Yea 42    Nay 0    (03/27/2015)