$\begin{array}{c} LRB\text{--}4045/1\\ SWB\text{:kjf} \end{array}$ 

### 2017 ASSEMBLY BILL 521

September 29, 2017 - Introduced by Representatives Duchow, Sinicki, Novak, Berceau, Crowley, Felzkowski, Kitchens, Kooyenga, Loudenbeck and Tranel, cosponsored by Senator Ringhand. Referred to Committee on Family Law.

#### \*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

AN ACT to repeal 765.03 (2), 765.09 (1) (b) and 765.21 (2); to renumber 765.03 (1) and 765.09 (1) (a); to consolidate, renumber and amend 765.21 (intro.) and (1); and to amend 765.03 (title) and 767.35 (3) of the statutes; relating to: waiting period for marriage after divorce judgment.

#### Analysis by the Legislative Reference Bureau

This bill eliminates the prohibition against a person marrying for six months after the grant of that person's judgment of divorce. Under current law, a person who was married and party to a divorce action in this or another state may not marry again until six months after a judgment of divorce is granted. This bill eliminates the waiting period.

# The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 5 **Section 1.** 765.03 (title) of the statutes is amended to read:
- 6 **765.03** (title) Who shall not marry; divorced persons.
- 7 Section 2. 765.03 (1) of the statutes is renumbered 765.03.
- 8 **Section 3.** 765.03 (2) of the statutes is repealed.

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1	<b>SECTION 4.</b> 765.09 (1) (a) of the statutes is renumbered 765.09 (1).
2	<b>Section 5.</b> 765.09 (1) (b) of the statutes is repealed.
3	Section 6. 765.21 (intro.) and (1) of the statutes are consolidated, renumbered
4	765.21 and amended to read:
5	765.21 Unlawful marriages void; validation. All marriages hereafter
6	contracted in violation of ss. $765.02$ , $765.03$ , $765.04$ and $765.16$ shall be void, except
7	as provided in ss. 765.22 and 765.23. The parties to any such marriage may validate
8	the marriage by complying with the requirements of ss. $765.02$ to $765.24$ as follows:
9	(1) At at any time, if the marriage is declared void under s. 765.02 or 765.16.
10	<b>Section 7.</b> 765.21 (2) of the statutes is repealed.
11	<b>Section 8.</b> 767.35 (3) of the statutes is amended to read:
12	767.35 (3) When divorce judgment effective. A judgment of divorce is
13	effective when granted. A court granting a judgment of divorce shall inform the
14	parties appearing in court that the judgment is effective when granted but that it is
15	unlawful under s. 765.03 (2) for a party to marry again until 6 months after the
16	judgment is granted.

(END)