

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 882

Introduced by Hansen, M., 26.

Read first time January 09, 2020

Committee:

- 1 A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-373,
- 2 42-374, and 42-375, Reissue Revised Statutes of Nebraska; to change
- 3 and eliminate provisions relating to qualifications for marriage and
- 4 annulments; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 42-102, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 42-102 At the time of the marriage the male must be of the age of
4 seventeen years or upward, and the female of the age of seventeen years
5 or upward. ~~No person who is afflicted with a venereal disease shall marry~~
6 ~~in this state.~~

7 Sec. 2. Section 42-373, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 42-373 Actions for annulment of a marriage shall be brought in the
10 same manner as actions for dissolution of marriage and shall be subject
11 to all applicable provisions of sections 42-347 to 42-381 pertaining to
12 dissolution of marriage, except that the only residence requirement shall
13 be that either party the plaintiff is an actual resident of the county in
14 which the complaint is filed.

15 Sec. 3. Section 42-374, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 42-374 A marriage may be annulled for any of the following causes:

- 18 (1) The marriage between the parties is prohibited by law;
19 (2) Either party is impotent at the time of marriage;
20 (3) Either party had an undisclosed sexually transmitted disease at
21 the time of marriage;
22 (4) ~~(3)~~ Either party had a spouse living at the time of marriage; or
23 (5) ~~(4)~~ Force or fraud.

24 Sec. 4. Section 42-375, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 42-375 Annulment actions on behalf of persons who are incapacitated
27 ~~under disability~~ may be brought by a parent or adult next friend. An
28 annulment may not be decreed if the marriage is found to be voidable and
29 the parties freely cohabited after the ground for annulment has
30 terminated or become known to the innocent party.

31 Sec. 5. Original sections 42-102, 42-373, 42-374, and 42-375,

1 Reissue Revised Statutes of Nebraska, are repealed.