

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2798

By: Balkman

AS INTRODUCED

An Act relating to marriage; prohibiting the recognition of common law marriage in Oklahoma; providing exception; prohibiting palimony actions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3.2 of Title 43, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided for in this section, on and after November 1, 2002, a common law marriage shall not be recognized as a valid form of marriage in Oklahoma.

B. Any common law marriage recognized as valid in this state prior to November 1, 2002, shall continue to be recognized as valid in this state. A common law marriage recognized in another state shall not be recognized as valid and binding in this state in accordance with paragraph (3) of subsection (b) of Section 713 of Title 12 of the Oklahoma Statutes.

C. Palimony actions shall not be recognized in this state. Only a marriage pursuant to statute or a common law marriage shall be recognized for purposes of divorce actions in this state.

SECTION 2. This act shall become effective November 1, 2002.

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