

State of Arkansas

77th General Assembly

A Bill

SENATE BILL

Third Extraordinary Session, 1989

CALL ITEM 7923

By: Senators Gordon and Hardin

For An Act To Be Entitled

"AN ACT TO DECLARE VALID ALL MARRIAGES HERETOFORE DECLARED VOID BECAUSE THE PARTIES HAD ENTERED INTO AN OTHERWISE VALID MARRIAGE AFTER THE RENDITION OF A VALID DECREE OF DIVORCE, BUT PRIOR TO ENTRY OF RECORD OF THE DECREE; TO DECLARE THE OFFSPRING OF SUCH MARRIAGES LEGITIMATE; TO DECLARE VALID ALL PROPERTY RIGHTS, CONVEYANCES, INHERITANCE, AND ALL RIGHTS AND DUTIES ARISING FROM SAID MARRIAGES BETWEEN THE PARTIES OR BETWEEN EITHER OF THE PARTIES AND THIRD PERSONS; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. All marriages heretofore or hereafter declared void because the parties had entered into an otherwise valid marriage after the rendition of a valid decree of divorce of either of the parties, but before the entry for record of the decree, are declared valid for all purposes.

SECTION 2. All children born to any marriage herein declared valid are deemed to be the legitimate children of both parents for all purposes.

SECTION 3. All property rights, including but not limited to conveyances, inheritance, intestate succession, dower, curtesy, and all rights and duties between the parties themselves or third persons, are declared to be those of validly married persons.

SECTION 4. It is the intent of this act to validate all marriages deemed void as a result of the decision of the Supreme Court of Arkansas in *Standridge v. Standridge*, 298 Ark. 494, ... S.W.2d ... (May 1, 1989), whether occurring prior to or subsequent to the effective date of this act.

SECTION 5. All provisions of this act shall apply to all marriages occurring both prior and subsequent to the effective date of this act.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 8. Emergency. It is hereby found and determined by the General Assembly that there is an urgent need to validate otherwise legal marriages declared void by court decisions, to declare and preserve the legitimacy of the children born of such marriages, and to validate all property rights between the parties themselves and third persons; that it is in the best interest of the state that this act declaring such marriages take effect immediately. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage.