S T A T E O F N E W Y O R K

2377

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

Introduced by M. of A. REILICH, ERRIGO, RAIA, FINCH, CALHOUN, TOWNSEND, OAKS, McDONOUGH, BARCLAY, KOLB -- Multi-Sponsored by -- M. of A. ALFANO, BACALLES, BARRA, BUTLER, FITZPATRICK, MILLER, SAYWARD, SEMINERIO, THIELE -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to waiving the waiting period for solemnizing a marriage for members of the armed services and to repeal certain provisions of such law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 13-c of the domestic relations law is REPEALED and a new section 13-c is added to read as follows:

S 13-C. TWENTY-FOUR HOUR PROVISION WAIVED IN CERTAIN CASES. NOTWITHSTANDING THE PROVISIONS OF SECTION THIRTEEN-B OF THIS ARTICLE OR ANY OTHER PROVISION OF LAW, WHERE EITHER OF THE PARTIES MAKING APPLICATION FOR A MARRIAGE LICENSE PURSUANT TO SECTION THIRTEEN OF THIS ARTICLE, IS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, THE MARRIAGE OF THE PARTIES MAY BE SOLEMNIZED WITHOUT WAITING FOR THE LAPSE OF THE TWENTY-FOUR HOUR PERIOD REQUIRED BY SECTION THIRTEEN-B OF THIS ARTICLE. PROOF THAT THE APPLICANT IS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES SHALL BE FURNISHED TO THE SATISFACTION OF THE OFFICIAL ISSUING THE MARRIAGE LICENSE. EVERY LICENSE TO MARRY ISSUED PURSUANT TO THE PROVISIONS OF THIS SECTION MUST STATE THE DAY AND HOUR THE LICENSE IS ISSUED AND SHALL CONTAIN A RECITAL THAT IT IS ISSUED PURSUANT TO THE PROVISIONS OF THIS SECTION AND THAT THE PARTIES NAMED THEREIN MAY BE MARRIED AT ANY TIME AFTER SUCH DAY AND HOUR AND WITHIN SIXTY DAYS THEREAFTER.

S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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