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

4588

2011-2012 Regular Sessions

I N A S S E M B L Y

February 4, 2011

Introduced by M. of A. CASTRO -- Multi-Sponsored by -- M. of A. BOYLAND -- read once and referred to the Committee on Judiciary

AN ACT to amend the domestic relations law, in relation to pre-marriage counseling

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

Section 1. Section 13 of the domestic relations law, as amended by chapter 720 of the laws of 1957, is amended to read as follows:

S 13. Marriage licenses. 1. It shall be necessary for all persons intended to be married in New York state to obtain a marriage license from a town or city clerk in New York state and to deliver said license, within sixty days, to the clergyman or magistrate who is to officiate before the marriage ceremony may be performed. In case of a marriage contracted pursuant to subdivision four of section eleven of this chapter, such license shall be delivered to the judge of the court of record before whom the acknowledgment is to be taken. If either party to the marriage resides upon an island located not less than twenty-five miles from the office or residence of the town clerk of the town of which such island is a part, and if such office or residence is not on such island such license may be obtained from any justice of the peace residing on such island, and such justice, in respect to powers and duties relating to marriage licenses, shall be subject to the provisions of this article governing town clerks and shall file all statements or affidavits received by him while acting under the provisions of this section with the town clerk of such town.

2. BEFORE A MARRIAGE LICENSE SHALL BE ISSUED, PERSONS INTENDING TO BE MARRIED IN NEW YORK STATE SHALL COMPLETE ONE EIGHT HOUR PRE-MARRIAGE COUNSELING SESSION WITH A LICENSED MARRIAGE AND FAMILY THERAPIST, AS DEFINED IN SECTION EIGHT THOUSAND FOUR HUNDRED THREE OF THE EDUCATION LAW.

S 2. This act shall take effect immediately.

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

LBD02999-01-1