

LEGAL SERVICES

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MEMORANDUM

December 28, 2017

SUBJECT: HB 15 sectional summary
(Work Order No. 30-LS0167\A)

TO: Representative Andy Josephson
Attn: Megan Holland

FROM: Linda M. Bruce *Linda Bruce*
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, note that this sectional summary should not be considered an authoritative interpretation of the bill -- the bill itself is the best statement of its contents.

Section 1. Replaces the phrase "a husband and wife" with "two spouses" in a current statute related to loans.

Section 2. Replaces the phrase "a husband and wife" with "two spouses" in a current statute related to fiduciary exemptions.

Section 3. Replaces the term "husband and wife" with "spouses" in a current statute related to a prosecution for failure to permit visitation with a minor.

Section 4. Replaces the term "husband and wife" with "the spousal relationship" under subsection (a) of a current statute and replaces the term "husband and wife" with "spouses" under subsection (b) in the same current statute related to the effect of a divorce, annulment, or a decree of separation.

Section 5. Replaces the term "husband and wife" with "the spousal relationship" in a current statute related to the definition of "divorce or annulment."

Section 6. Replaces the term "husband" with "spouse," the term "father" with "second parent," and the term "man" with "person" in a current statute related to birth certificates.

Section 7. Adds the term "the mother's spouse" in a current statute related to vital statistics information for a stillbirth.

Section 8. Replaces the term "upon" with "on," the term "effectuated" with "carried out," the term "effectuate" with "carry out," and the phrase "a husband and wife" with "either spouse" in a current statute related to life and health insurance.

Section 9. Replaces the term "husband, wife" with "a spouse," the term "shall" with "may," and the term "upon" with "on" in a current statute related to health insurance.

Section 10. Replaces the term "husband or wife" with "spouse" in a current statute related to employer liability.

Section 11. Replaces the phrase "one man and one woman" with "two natural persons" and the phrase "the man and the woman must each" with "[e]ach person shall" in a current statute related to marriage.

Section 12. Replaces the term "husband or wife" with "spouse" in a current statute related to prohibited and void marriages.

Section 13. Replaces the term "husband and wife" with "spouses" and the term "shall" with "may" in a current statute related to voiding a marriage.

Section 14. Replaces the term "husband or wife" with "person," the term "a" with "the," the term "husband and wife" with "spouses," and the phrase "the former husband or wife" with "the other party's spouse from the former marriage" in a current statute related to the effect of an existing former marriage.

Section 15. Replaces the term "husband and wife" with "spouses" in a current statute related to the form for the solemnization of a marriage.

Section 16. Replaces the term "husband and wife" with "spouses" in a current statute related to the unlawful solemnization of a marriage.

Section 17. Replaces the term "husband or wife" with "person who is married" and "other" with "person's spouse" in a current statute related to the authority of spouses to act as an attorney-in-fact for each other.

Section 18. Replaces the phrase "a husband and wife" with "two spouses" in a current statute related to adoption.

Section 19. Amends a current statute related to consent for a petition to adopt to require consent from the "legal parent of the minor" and expands the list of individuals who may be a legal parent for purposes of the statute.

Section 20. Conforms a cross-reference for purposes of consents to adoptions consistent with sec. 19 of this bill.

Section 21. Conforms a cross-reference for purposes of adult family member preference in adoptions consistent with sec. 19 of this bill.

Section 22. Replaces the term "husband or wife" with "person" and the term "other" with "person's spouse" in a current statute related to the right of action for a divorce.

Section 23. Repeals and reenacts AS 25.24.020 related to void marriages to remove the term "husband or wife" and include language that applies to same-sex couples.

Section 24. Replaces the term "husband and wife" with "spouses" in a current statute related to voidable marriages.

Section 25. Replaces the phrase "either the husband or wife" with "a spouse" in a current statute related to an action to declare a marriage valid.

Section 26. Replaces the phrase "a husband and wife" with "two spouses" and the term "the wife" with "one of the spouses" in a current statute related to the dissolution of a marriage.

Section 27. Replaces the term "husband or wife" with "spouse" in a current statute related to a petition for dissolution of a marriage.

Section 28. Replaces the phrase "a husband and wife" with "both spouses" in a current statute related to ownership of an animal.

Section 29. Replaces the term "the wife" with "either spouse" in a current statute related to a petition for dissolution of a marriage.

Section 30. Replaces the term "husband or a wife" with "spouse" in a current statute related to a complaint for a legal separation.

Section 31. Replaces the phrase "relationship of husband and wife or parent and child" with "spousal relationship or the relationship of parent and child" in a current statute related to spousal immunity.

Section 32. Replaces the phrase "communications between spouses" with "marital communications" and the phrase "relationship of husband and wife or parent and child" with "spousal relationship or the relationship of parent and child" in a current statute related to the privilege against disclosure of marital communications.

Section 33. Replaces the term "husband and wife" with "two spouses" in a current statute related to apartment ownership and possession.

Section 34. Replaces the phrase "a husband and wife" with "two spouses" in a current statute related to the prohibition against the partition of common areas and facilities ownership.

Section 35. Replaces the term "husband and wife" with "spouses" in a current statute related to a deed or conveyance of a family home or homestead.

Section 36. Replaces the phrase "a husband and wife" with "two spouses" in a current statute related to conveyances that are construed as creating tenancy in common.

Section 37. Amends the definition of a "child" for purposes of public official financial disclosure to include "a legal child."

Section 38. Amends the definition of a "mother or father" for purposes of public official financial disclosure to include "a legal parent."

Section 39. Replaces the term "upon" with "on" and the phrase "the" father or mother with "a" father or mother in a current statute related to appointment of a guardian or custodian.

Section 40. Replaces the phrase "the" father or mother with "a" father or mother in a current statute related to the release of a minor from custody.

Section 41. Replaces the term "upon" with "on" and the phrase "the" father or mother with "a" father or mother in a current statute related to the appointment of a guardian or custodian.

Section 42. Replaces the term "husband-wife" with "spousal" in a current statute related to evidence that is not subject to the spousal privilege.

Section 43 Repeals AS 25.05.013, which provides that in this state a same-sex marriage is void, that contractual rights granted by virtue of the marriage are unenforceable, and that the marriage is not entitled to the benefits of marriage.

Section 44. Adds a revisor's instruction directing the revisor of statutes to change the heading of AS 25.15 from "Husband and Wife" to "Spouses."

If I may be of further assistance, please advise.

LBB:dls

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