

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 HOUSE BILL NO. 30

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to actions for divorce  
7 and annulment; amending Secs. 56-5-8,  
8 56-5-9 and 56-5-10 ACLA 1949; and provid-  
9 ing an effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. Sec. 56-5-8 ACLA 1949 is hereby amended to read  
12 as follows:

13 Sec. 56-5-8. RESIDENCE REQUIREMENT: ACTION TO DECLARE  
14 MARRIAGE VOID. When a marriage has been solemnized in the  
15 State TERRITORY an action may be maintained at any time  
16 to declare it void if the plaintiff is an inhabitant of the  
17 State TERRITORY AT THE COMMENCEMENT OF THE ACTION. If the  
18 marriage has not been solemnized in the State TERRITORY,  
19 such action can only be maintained when the plaintiff has  
20 been an inhabitant thereof for one year TWO YEARS prior to  
21 the commencement of an action.

22 Sec. 2. Sec. 56-5-9 ACLA 1949 is hereby amended to read as  
23 follows:

24 Sec. 56-5-9. ACTIONS FOR DIVORCE: DETERMINATION OF  
25 RESIDENCE AND CAUSE FOR DIVORCE. No divorce shall be  
26 granted by the courts of the State TERRITORY, unless the  
27 applicant therefor shall have resided in the State TERRI-  
28 TORY for one year TWO YEARS next preceding the applica-  
29 tion WHICH RESIDENCE AND ALL CAUSES FOR DIVORCE SHALL BE

1 DETERMINED BY THE COURT UPON EVIDENCE ADDUCED IN OPEN  
2 COURT.

3 Sec. 3. Sec. 56-5-10 ACLA 1949 is hereby amended to read  
4 as follows:

5 Sec. 56-5-10. JURISDICTION. In an action for the dis-  
6 solution of the marriage contract the plaintiff therein must  
7 be an inhabitant of the State ~~State~~ TERRITORY at the commence-  
8 ment of the action and for one year ~~one year~~ TWO YEARS prior there-  
9 to, which residence shall be sufficient to give the court  
10 jurisdiction without regard to the place where the marriage  
11 was solemnized or the cause of action arose.

12 Sec. 4. All Acts or circumstances required by this Act to  
13 occur or exist in the State of Alaska shall include the same  
14 Acts or circumstances which occurred or existed in the Terri-  
15 tory of Alaska prior to January 3, 1959.

16 Sec. 5. This Act shall take effect immediately upon its  
17 passage and approval, or upon its becoming law without such  
18 approval.