

CHAPTER 815e. MARRIAGE

Sec. 46b-20. Definitions. As used in this chapter:

- (a) "Registrar" means the registrar of vital statistics;
- (b) "Applicant" means applicant for a marriage license;
- (c) "License" means marriage license.

Sec. 46b-21. (Formerly Sec. 46-1). Kindred who may not marry. No man may marry his mother, grandmother, daughter, granddaughter, sister, aunt, niece, stepmother or stepdaughter, and no woman may marry her father, grandfather, son, grandson, brother, uncle, nephew, stepfather or stepson. Any marriage within these degrees is void.

Sec. 46b-22. (Formerly Sec. 46-3). Who may join persons in marriage. Penalty for unauthorized performance.

- (a) All judges and retired judges, either elected or appointed and including federal judges and judges of other states who may legally join persons in marriage in their jurisdictions, family support magistrates, state referees and justices of the peace may join persons in marriage in any town in the state and all ordained or licensed clergymen, belonging to this state or any other state, so long as they continue in the work of the ministry may join persons in marriage. All marriages solemnized according to the forms and usages of any religious denomination in this state, including marriages witnessed by a duly constituted Spiritual Assembly of the Bahais, are valid. All marriages attempted to be celebrated by any other person are void.
- (b) No public official legally authorized to issue marriage licenses may join persons in marriage under authority of a license issued by himself, or his assistant or deputy, nor may any such assistant or deputy join persons in marriage under authority of a license issued by such public official.
- (c) Any person violating any provision of this section shall be fined not more than fifty dollars.

Sec. 46b-22a. Validation of marriages performed by unauthorized justice of the peace. All marriages, celebrated before July 9, 2003, otherwise valid except that the justice of the peace joining such persons in marriage did not have a valid certificate of qualification, are validated, provided the justice of the peace who joined such persons in marriage represented himself or herself to be a duly qualified justice of the peace and such persons reasonably relied upon such representation.

Sec. 46b-23. (Formerly Sec. 46-4). Joining persons in marriage knowingly without authority. Any person who undertakes to join persons in marriage, knowing that he is not authorized to do so, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

Sec. 46b-24. (Formerly Sec. 46-5a). License required. Period of validity. Penalty.

- (a) No persons may be joined in marriage in this state until both have complied with the provisions of sections 46b-24, 46b-25 and 46b-29 to 46b-33, inclusive, and have been issued a license by the registrar for the town in which (1) the marriage is to be celebrated, or (2) either person to be joined in marriage resides, which license shall bear the certification of the registrar that the persons named therein have complied with the provisions of said sections.
- (b) Such license, when certified by the registrar, is sufficient authority for any person authorized to perform a marriage ceremony in this state to join such persons in marriage, provided the ceremony is performed within a period of not more than sixty-five days after the date of application.
- (c) Anyone who joins any persons in marriage without having received such license from them shall be fined not more than one hundred dollars.

Sec. 46b-24a. Validation of marriages occurring in town other than town where license issued. All marriages celebrated before July 9, 2003, otherwise valid except that the license for any such marriage was issued in a town other than the town in this state in which such marriage was celebrated, are validated.

Sec. 46b-25. (Formerly Sec. 46-5b). Application for license. No license may be issued by the registrar until both persons have appeared before the registrar and made application for a license. The license shall be completed in its entirety, dated, signed and sworn to by each applicant and shall state each applicant's name, age, race, birthplace, residence, whether single, widowed or divorced and whether under the supervision or control of a conservator or guardian. The Social Security numbers of the bride and the groom shall be recorded in the "administrative purposes" section of the license. If the license is signed and sworn to by the applicants on different dates, the earlier date shall be deemed the date of application.

Secs. 46b-26 and 46b-27. (Formerly Secs. 46-5c and 46-5d). Test for venereal disease and rubella prerequisite. Issuance of license. Sections 46b-26 and 46b-27 are repealed, effective October 1, 2003.

Sec. 46b-28. (Formerly Sec. 46-6). When marriages in foreign country are valid. All marriages in which one or both parties are citizens of this state, celebrated in a foreign country, shall be valid, provided: (1) Each party would have legal capacity to contract such marriage in this state and the marriage is celebrated in conformity with the law of that country; or (2) the marriage is celebrated, in the presence of the ambassador or minister to that country from the United States or in the presence of a consular officer of the United States accredited to such country, at a place within his consular jurisdiction, by any ordained or licensed clergyman engaged in the work of the ministry in any state of the United States or in any foreign country.

Sec. 46b-29. (Formerly Sec. 46-5e). Marriage of persons under conservatorship or guardianship.

- (a) No marriage license may be issued to any applicant under the supervision or control of a conservator, appointed in accordance with sections 45a-644 to 45a-662, inclusive, unless the written consent of the conservator, signed and acknowledged before a person authorized to take acknowledgments of conveyances under the provisions of section 47-5a, or authorized to take acknowledgments in any other state or country, is filed with the registrar.
- (b) Any person married without the consent provided for in subsection (a) of this section shall acquire no rights by such marriage in the property of any person who was under such control or supervision at the time of the marriage.

Sec. 46b-30. (Formerly Sec. 46-5f). Marriage of minors.

- (a) No license may be issued to any applicant under sixteen years of age, unless the judge of probate for the district in which the minor resides endorses his written consent on the license.
- (b) No license may be issued to any applicant under eighteen years of age, unless the written consent of a parent or guardian of the person of such minor, signed and acknowledged before a person authorized to take acknowledgments of conveyances under the provisions of section 47-5a, or authorized to take acknowledgments in any other state or country, is filed with the registrar. If no parent or guardian of the person of such minor is a resident of the United States, the written consent of the judge of probate for the district in which the minor resides, endorsed on the license, shall be sufficient.

Sec. 46b-31. (Formerly Sec. 46-5h). Marriage of person whose last previous marriage was terminated by divorce or dissolution. Section 46b-31 is repealed.

Sec. 46b-32. (Formerly Sec. 46-5i). Failure to make license available; penalty. Section 46b-32 is repealed, effective October 1, 2004.

Sec. 46b-33. (Formerly Sec. 46-5j). Copy of law to applicants. Each registrar shall issue a copy of sections 46b-24, 46b-25 and 46b-29 to 46b-33, inclusive, to any person making application for a license.

Sec. 46b-34. (Formerly Sec. 46-7). Marriage certificate. Affidavit in lieu of certificate.

- (a) Each person who joins any person in marriage shall certify upon the license certificate the fact, time and place of the marriage, and return it to the registrar of the town where the marriage took place, before or during the first week of the month following the marriage. Any person who fails to do so shall be fined not more than ten dollars.
- (b) If any person fails to return the certificate to the registrar, as required under subsection (a) of this section, the persons joined in marriage may provide the registrar with a notarized affidavit attesting to the fact that they were joined in marriage and stating the date and place of the marriage. Upon the recording of such affidavit by the registrar, the marriage of the affiants shall be deemed to be valid as of the date of the marriage stated in the affidavit.

Sec. 46b-35. (Formerly Sec. 46-8). Certificates prima facie evidence. The certificates required by sections 46b-24, 46b-24a, 46b-25 and 46b-29 to 46b-34, inclusive, or an affidavit recorded pursuant to subsection (b) of section 46b-34, shall be prima facie evidence of the facts stated in them.