

1 H.276

2 Introduced by Representative Lippert of Hinesburg

3 Referred to Committee on

4 Date:

5 Subject: Domestic relations; marriage; civil unions

6 Statement of purpose: This bill proposes to provide, upon application, an  
7 expedited process for dissolving the civil union of a couple upon their marriage  
8 to one another.

9 An act relating to the dissolution of a civil union when the parties are  
10 married to one another and intend to continue the marriage

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 15 V.S.A. § 1206 is amended to read:

13 § 1206. DISSOLUTION OF CIVIL UNIONS

14 (a) The family division of the superior court shall have jurisdiction over all  
15 proceedings relating to the dissolution of civil unions. ~~The~~ Except as  
16 otherwise provided, the dissolution of civil unions shall follow the same  
17 procedures and be subject to the same substantive rights and obligations that  
18 are involved in the dissolution of civil marriage in accordance with chapter 11  
19 of this title, including any residency requirements.

1       (b)(1) Parties to a civil union who wish to dissolve their civil union upon  
2       legally marrying one another may do so by following the procedures set forth  
3       in this subsection and are not subject to the same substantive rights and  
4       obligations that are involved in the dissolution of civil marriage in accordance  
5       with chapter 11 of this title, including any hearings, waiting periods, or  
6       residency requirements.

7       (2) Parties to a civil union who are legally wed to one another may  
8       dissolve their civil union by filing a petition for uncontested dissolution with  
9       the family court in the county in which one or both reside. The application for  
10       uncontested dissolution shall be on a form prescribed by the court  
11       administrator. The form shall be signed by both parties.

12       (3) The grounds for dissolution pursuant to this subsection shall be that  
13       the parties are legally married at the time of the dissolution of the civil union,  
14       and the benefits, protections, and responsibilities under law, whether they  
15       derive from statute, administrative or court rule, policy, common law, or any  
16       other source of civil law, continue in the same manner.

17       (4) Upon the filing of a petition for uncontested dissolution, the court  
18       may immediately grant the petition without requiring a hearing by issuing an  
19       order of uncontested dissolution.

20       Sec. 2. EFFECTIVE DATE

21       This act shall take effect on July 1, 2011.