

HOUSE BILL No. 2101

By Committee on Judiciary

1-19

1 AN ACT concerning the Kansas family law code; relating to marriage;
2 common-law marriage; amending K.S.A. 2016 Supp. 23-2502 and 23-
3 2714 and repealing the existing sections.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 23-2502 is hereby amended to read as
7 follows: 23-2502. The state of Kansas shall not recognize a common-law
8 marriage contract ~~if either party to the marriage contract is under 18 years~~
9 ~~of age entered into after July 1, 2017.~~

10 Sec. 2. K.S.A. 2016 Supp. 23-2714 is hereby amended to read as
11 follows: 23-2714. (a) *Admissions.* Upon the trial of the action, the court
12 may admit proof of the admissions of the parties to be received in
13 evidence, excluding such as shall appear to have been obtained by
14 connivance, fraud, coercion, or other improper means.

15 (b) *Marriage.* Testimony admissible to prove a common-law marriage
16 *contract entered into prior to July 1, 2017*, may be received as evidence of
17 the marriage of the parties.

18 (c) *Husband and wife as witness.* Either party to the action shall be
19 competent to testify upon all material matters involved in the controversy.

20 (d) *Corroborating testimony.* A decree of divorce, separate
21 maintenance or annulment may be granted upon the uncorroborated
22 testimony of either party or both of them.

23 Sec. 3. K.S.A. 2016 Supp. 23-2502 and 23-2714 are hereby repealed.

24 Sec. 4. This act shall take effect and be in force from and after its
25 publication in the statute book.