

LEGISLATIVE BILL 8

Approved by the Governor February 10, 1999

Introduced by Executive Board: Coordsen, 32, Chairperson

AN ACT relating to marriage; to amend sections 42-406 and 42-408, Reissue Revised Statutes of Nebraska; to repeal a provision governing marriages and divorces prior to April 8, 1913; to harmonize provisions; to repeal the original sections; and to outright repeal section 42-401, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 42-406, Reissue Revised Statutes of Nebraska, is amended to read:

42-406. If any ~~such~~ Indian who is married according to the provisions of sections ~~42-401~~ 42-402 to 42-404 shall, while his or her husband or wife is living, be married to another person, either in legal form or according to Indian custom, he or she shall be guilty of bigamy and shall be punished therefor as provided by law.

Sec. 2. Section 42-408, Reissue Revised Statutes of Nebraska, is amended to read:

42-408. Nothing in sections ~~42-401~~ 42-402 to 42-407 shall be construed to constitute a legal separation of a prior legal marriage according to the laws of this state wherein a license was secured and a ceremony performed by some person empowered by law to perform such marriage ceremony of any Indian of whole or mixed blood residing in the state.

Sec. 3. Original sections 42-406 and 42-408, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 4. The following section is outright repealed: Section 42-401, Reissue Revised Statutes of Nebraska.