

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 889

Introduced by Assembly Member Jackson
(Coauthor: Senator Speier)

February 25, 1999

An act to add Section 351.5 to the Family Code, relating to marriage.

LEGISLATIVE COUNSEL'S DIGEST

AB 889, as amended, Jackson. Marriage: fact sheet.

(1) Existing law sets forth the duties of the Judicial Council, as specified.

This bill would require the Judicial Council to develop, post, update annually, and distribute a fact sheet regarding marriage, as specified. The bill would also impose a state-mandated local program by requiring the county clerk to provide a copy of the fact sheet with each marriage license.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.



This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 351.5 is added to the Family
2 Code, to read:

3 351.5. (a) The Judicial Council shall develop a fact
4 sheet on marriage rights that addresses all of the
5 following:

6 (1) How marriage affects property rights, including
7 community property, separate property, premarital and
8 marital agreements, as set forth in Division 4
9 (commencing with Section 700), and other applicable
10 laws and regulations.

11 (2) Rights and obligations of married persons,
12 including management and control of property; payment
13 of individual and community debts; *pension and*
14 *retirement benefits; and* spousal and or child support
15 obligations from a prior marriage, as set forth in Division
16 4 (commencing with Section 700) and Division 7
17 (commencing with Section 2500), and other applicable
18 laws and regulations.

19 (3) *Spousal support obligations that may arise from the*
20 *dissolution of a marriage as set forth in Division 9*
21 *(commencing with Section 3500).*

22 (4) Parents' rights and obligations to their children,
23 duty to pay child support if parents are divorced, and
24 liability of parents for injuries caused by their children, as
25 set forth in Section 1714.1 of the Civil Code, Division 9
26 (commencing with Section 3500) and Division 12
27 (commencing with Section 7500), and other applicable
28 laws and regulations.

29 ~~(4)~~

30 (5) Laws and regulations related to domestic violence,
31 including the availability of the Judicial Council's



1 informational booklet, as set forth in Division 10
2 (commencing with Section 6200), and other applicable
3 laws and regulations.

4 ~~(b) The fact sheet shall also incorporate existing law~~
5 ~~requirements for information to be given to applicants for~~
6 ~~a marriage license. The Judicial Council shall also~~
7 ~~recommend the repeal of those sections that require the~~
8 ~~information to be given out separately.~~

9 ~~(c)~~

10 (b) The Judicial Council shall post the fact sheet on its
11 website.

12 ~~(d)~~

13 (c) The Judicial Council shall distribute one
14 camera-ready copy of the fact sheet to each county clerk.

15 ~~(e)~~

16 (d) The Judicial Council shall review the fact sheet
17 annually to update it as appropriate to reflect any
18 legislative or other changes to the rights, obligations, and
19 issues identified in the fact sheet. The Judicial Council
20 shall distribute one camera-ready copy of the revised fact
21 sheet to each county clerk.

22 ~~(f)~~

23 (e) The Judicial Council shall develop, post, and
24 distribute the fact sheet within ~~nine~~ 12 months after the
25 effective date of this section.

26 ~~(g)~~

27 (f) The fact sheet shall be available in English, Spanish,
28 and in other foreign languages as determined by Judicial
29 Council.

30 ~~(h)~~

31 (g) The county clerk shall provide a copy of the
32 current Judicial Council fact sheet with each marriage
33 license.

34 SEC. 2. Notwithstanding Section 17610 of the
35 Government Code, if the Commission on State Mandates
36 determines that this act contains costs mandated by the
37 state, reimbursement to local agencies and school
38 districts for those costs shall be made pursuant to Part 7
39 (commencing with Section 17500) of Division 4 of Title
40 2 of the Government Code. If the statewide cost of the



1 claim for reimbursement does not exceed one million
2 dollars (\$1,000,000), reimbursement shall be made from
3 the State Mandates Claims Fund.

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