

***Effective 5/5/2021***

***Renumbered 9/1/2024***

**30-1-4.5 Validity of marriage not solemnized.**

- (1) A marriage which is not solemnized according to this chapter shall be legal and valid if a court or administrative order establishes that the marriage arises out of a contract between a man and a woman who:
  - (a) are of legal age and capable of giving consent;
  - (b) are legally capable of entering a solemnized marriage under the provisions of this chapter;
  - (c) have cohabited;
  - (d) mutually assume marital rights, duties, and obligations; and
  - (e) who hold themselves out as and have acquired a uniform and general reputation as husband and wife.
- (2)
  - (a) A petition for an unsolemnized marriage shall be filed during the relationship described in Subsection (1), or within one year following the termination of that relationship.
  - (b) Evidence of a marriage recognizable under this section may be manifested in any form, and may be proved under the same general rules of evidence as facts in other cases.