

26 REPEALS AND REENACTS:

27 **30-1-3**, as last amended by Laws of Utah 2019, Chapter 317



29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section **30-1-1** is amended to read:

31 **30-1-1. Incestuous marriages void.**

32 (1) The following marriages are incestuous and void from the beginning, [~~whether the~~
33 ~~relationship is legitimate or illegitimate~~] regardless of whether the relationship is legally
34 recognized:

- 35 (a) marriages between parents and children;
- 36 (b) marriages between ancestors and descendants of every degree;
- 37 (c) marriages between siblings of the half as well as the whole blood;
- 38 (d) marriages between:
 - 39 (i) uncles and nieces or nephews; or
 - 40 (ii) aunts and nieces or nephews;
- 41 (e) marriages between first cousins, except as provided in Subsection (2); or
- 42 (f) marriages between any individuals related to each other within and not including the
43 fifth degree of consanguinity computed according to the rules of the civil law, except as
44 provided in Subsection (2).

45 (2) First cousins may marry under the following circumstances:

- 46 (a) both parties are 65 years of age or older; or
- 47 (b) if both parties are 55 years of age or older, upon a finding by the district court,
48 located in the district in which either party resides, that either party is unable to reproduce.

49 Section 2. Section **30-1-3** is repealed and reenacted to read:

50 **30-1-3. Legal recognition of a child in void marriage.**

51 When a marriage is void under Subsection 30-1-2(1)(a) and the parties entered into the
52 marriage in good faith, a child of the marriage, who is born or conceived ~~H→~~ [~~before notice of the~~
53 mistake of the validity of the marriage] before the parties had actual knowledge that the marriage
53a was void ←H , shall be legally recognized as the child of the parties.

54 Section 3. Section **76-7-102** is amended to read:

55 **76-7-102. Incest -- Definitions -- Penalty.**

56 (1) As used in this section: