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SB-1150 Dissolution or nullity of marriage: restoration of former name or birth name. (2023-2024)

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Senate Bill No. 1150

CHAPTER 780

An act to amend Sections 2080, 2081, and 2082 of, and to amend the heading of Chapter 7 (commencing with Section 2080) of Part 1 of Division 6 of, the Family Code, relating to marriage.

[Approved by Governor September 27, 2024. Filed with Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1150, Laird. Dissolution or nullity of marriage: restoration of former name or birth name.

Existing law, with respect to a proceeding for dissolution of marriage or for nullity of marriage, requires the court, upon the request of a party, to restore the birth name or former name of that party, regardless of whether a request for restoration of the name was included in the petition.

This bill would clarify that those provisions apply to either spouse, and would make technical and nonsubstantive changes to various provisions relating to requests for restoration of a former name or birth name under those circumstances.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The heading of Chapter 7 (commencing with Section 2080) of Part 1 of Division 6 of the Family Code is amended to read:

CHAPTER 7. Restoration of Spouse's Former Name

SEC. 2. Section 2080 of the Family Code is amended to read:

2080. In a proceeding for dissolution of marriage or for nullity of marriage, but not in a proceeding for legal separation of the parties, the court, upon the request of a party, shall restore the birth name or former name of that party, regardless of whether a request for restoration of the name was included in the petition.

SEC. 3. Section 2081 of the Family Code is amended to read:

2081. The restoration of a former name or birth name requested under Section 2080 shall not be denied on the basis that the party has custody of a minor child who bears a different name, or for any other reason except fraud.

SEC. 4. Section 2082 of the Family Code is amended to read:

2082. This code does not abrogate the common law right of any person to change one's name.

