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110th GENERAL ASSEMBLY,
REGULAR SESSION,
1973-1974

S. B. No. 348

MESSRS. GILLMOR-O'SHAUGHNESSY-WOODLAND-NORRIS

A BILL

To amend section 3105.01 of the Revised Code to include living apart without cohabitation for an uninterrupted period of ^{two years} ~~one year~~ as a ground for divorce.

Be it enacted by the General Assembly of the State of Ohio:

- 2 SECTION 1. That section 3105.01 of the Revised Code be
3 amended to read as follows:
4 Sec. 3105.01. The court of common pleas may grant divorces
5 for the following causes:
6 (A) Either party had a husband or wife living at the time
7 of the marriage from which the divorce is sought;
8 (B) Willful absence of the adverse party for one year;
9 (C) Adultery;
10 (D) Impotency;
11 (E) Extreme cruelty;
12 (F) Fraudulent contract;
13 (G) Any gross neglect of duty;
14 (H) Habitual drunkenness;
15 (I) Imprisonment of the adverse party in a state or federal
16 penal institution under sentence thereto at the time of filing the
17 petition;

18 (J) Procurement of a divorce without this state, by a hus-
 19 band or wife, by virtue of which the party who procured it is re-
 20 leased from the obligations of the marriage, while such obligations
 21 remain binding upon the other party: i

ON THE APPLICATION OF EITHER PARTY,

22 (K) WHEN HUSBAND AND WIFE HAVE, WITHOUT IN-
 23 TERRUPTION FOR ~~ONE YEAR~~ TWO YEARS,

24 LIVED SEPARATE AND APART WITHOUT COHABITATION, ~~COUPLED WITH A FIND-~~

25 ~~ING BY THE COURT THAT SUCH SEPARATION IS BEYOND~~

26 ~~ANY POSSIBILITY OF RECONCILIATION,~~ A PLEA OF RES

27 JUDICATA OR OF RECRIMINATION WITH RESPECT TO ANY

28 PROVISION OF THIS SECTION ~~SHALL NOT BE A BAR TO~~ DOES EITHER PART FROM

29 OBTAINING A DIVORCE ON THIS GROUND.

30 SECTION 2. That existing section 3105.01 of the Revised

31 Code is hereby repealed.