



May 01, 2025

Bigamy

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Bigamy 3
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Bigamy

Reference Number: CTAS-421

A second marriage cannot be contracted before the dissolution of the first. However, the first marriage is regarded as dissolved for this purpose if either party has been absent five (5) years, and is not known to the other to be living. T.C.A. § 36-3-102; *Douglas v. Douglas*, 6 Tenn. App. 12 (1927); *Hall v. Hall*, 13 Tenn. App. 683 (1932). Bigamy is a Class A misdemeanor. T.C.A. § 39-15-301.

Because bigamous marriages are prohibited by statute, such marriages are void ab initio (i.e., void from the beginning). These marriages are not recognized by the courts and cannot be ratified by the parties. *Guzman v. Alvares*, 205 S.W.3d 375 (Tenn. 2006).

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