



**House
Legislative
Analysis
Section**

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POST-DIVORCE NAME CHANGE

House Bill 4523 as passed by the House
Second Analysis (8-24-89)

Sponsor: Rep. Thomas L. Hicker
Committee: Judiciary

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THE APPARENT PROBLEM:

For some time, there has been a general effort to eliminate gender-based language from Michigan's laws. One place where such phrasing continues to exist is in the law that provides for a person to change names upon divorce; the law refers only to women. To remove the taint of gender bias from the statute, amendments are necessary.

THE CONTENT OF THE BILL:

Public Act 299 of 1905, entitled "an act to provide for changing and determining the names of divorced women," allows the circuit court granting a divorce to authorize the newly-divorced woman to adopt her birth name or another surname. The bill would replace language specific to women with gender-neutral language. If requested by a party to the divorce, the circuit court could, on the date the divorce was granted, order that the party's birth name or another surname to be restored or adopted.

MCL 552.391

FISCAL IMPLICATIONS:

The House Fiscal Agency says that the bill has no fiscal implications. (4-24-89)

ARGUMENTS:

For:

Consistent with established policy to remove gender bias from Michigan's laws, the bill would make the law on post-divorce name changes gender-neutral. The law on changing one's name upon divorce would no longer refer just to women, but rather to people.

POSITIONS:

The Michigan Women's Commission supports the bill. (8-24-89)

H.B. 4523 (8-24-89)