

# HOUSE BILL No. 5826

May 11, 1992, Introduced by Reps. Harder, Byrum, Baade and DeMars  
and referred to the Committee on Judiciary.

A bill to amend the title and section 1 of Act No. 299 of  
the Public Acts of 1905, entitled

"An act to provide for changing and determining the names of  
divorced women,"

being section 552.391 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 1 of Act No. 299 of the  
2 Public Acts of 1905, being section 552.391 of the Michigan  
3 Compiled Laws, are amended to read as follows:

### 4 TITLE

5 An act to provide for changing and determining the names of  
6 divorced ~~women~~ INDIVIDUALS.

7 Sec. 1. (1) ~~The~~ IF REQUESTED BY A PARTY TO AN ACTION FOR  
8 DIVORCE, THE circuit ~~courts of this state, whenever a decree of~~  
9 ~~divorce is granted, may, at the instance of the woman, whether~~

~~1 complainant or defendant, decree to restore to her her birth~~  
~~2 name, or the surname she legally bore prior to her marriage to~~  
~~3 the husband in the divorce action, or allow her~~ COURT MAY ORDER  
4 AS PART OF THE JUDGMENT OF DIVORCE 1 OF THE FOLLOWING CONCERNING  
5 THE NAME OF THAT PARTY:

6 (A) THE PARTY'S BIRTH NAME BE RESTORED.

7 (B) THE PARTY'S SURNAME LEGALLY BORNE PRIOR TO THE MARRIAGE  
8 TO THE OTHER PARTY TO THE DIVORCE ACTION BE RESTORED.

9 (C) THE PARTY BE ALLOWED to adopt another surname if the  
10 change is not sought with ~~any~~ A fraudulent or evil intent.

11 (2) WHEN ORDERING THE CHANGE OF AN INDIVIDUAL'S NAME UNDER  
12 THIS ACT, THE COURT SHALL ISSUE WITH THAT ORDER A SEPARATE STAN-  
13 DARD NAME CHANGE CERTIFICATE AS PROVIDED FOR IN SECTION 3 OF  
14 CHAPTER XI OF ACT NO. 288 OF THE PUBLIC ACTS OF 1939, BEING SEC-  
15 TION 711.3 OF THE MICHIGAN COMPILED LAWS, WHICH CERTIFICATE MAY  
16 BE USED BY THE INDIVIDUAL AS PROOF OF THE NAME CHANGE.

17 Section 2. This amendatory act shall not take effect unless  
18 Senate Bill No. \_\_\_\_\_ or House Bill No. 5825 (request  
19 no. 04095'91) of the 86th Legislature is enacted into law.