



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

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House Bill 5635

Sponsor: Rep. Roland Jersevic

Committee: Judiciary and Civil Rights

Complete to 3-14-96

A SUMMARY OF HOUSE BILLS 5635 AS INTRODUCED 2-27-96

House Bill 5635 would amend the Public Act 128 of 1887 (MCL 551.103 and 551.103a) regarding marriage requirements. The bill would require a man and woman who wished to be married to complete a program in premarital counseling in order to receive a marriage license (or face an increased license fee and a longer waiting period). The program would have to be taught by a licensed professional (defined in the bill as a professional counselor, marriage or family therapist, or psychologist licensed under the Public Health Code) or an official representative of a religious institution. The individuals applying for the license would have to verify their completion of the program by way of a statement in the license application affidavit and they would have to file a certificate of completion which they would receive from the program administrator with the license application.

Unless emancipated, an individual who was 16 or 17 years old who wished to be married would additionally be required to have at least one of his or her parents or guardian attend the premarital counseling program. In such cases, the program would also have to include counseling on minors and marriage, and on extended family roles and the marriage.

The program providers would have to set fee schedules that would accommodate families of varying financial means, including no fee for indigent families. Payment for participation in the program would be made directly to the provider. The secretary of state would be required to make lists of program providers available through secretary of state offices and to furnish copies of the lists to county clerks.

The parties could choose not to participate in a counseling program; however, if either party of the pair applying for the marriage license did not participate, the application fee for the marriage license would be increased from \$20 to \$100. Furthermore, a couple that did not participate in the counseling program would be required to wait 30 days (instead of 3 days for those who participated in the program) after the application to receive the license and would have to marry within 63 days (instead of 33 days) after the application. In addition, although a couple who had participated in the counseling program could receive their license immediately, if good and sufficient cause was shown, a couple that had not participated in a counseling program could not have the waiting period waived.

The bill is tie-barred to House Bills 4432, 5634 and 5637.

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.