



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 963 (Substitute S-2 as reported)
Senate Bill 964 (Substitute S-2 as reported)
Sponsor: Senator Bill Hardiman (S.B. 963)
 Senator Alan Sanborn (S.B. 964)
Committee: Judiciary

CONTENT

Senate Bill 963 (S-2) would amend Public Act 128 of 1887, which provides for the civil licensing and registration of marriage, to provide that, based on information furnished by the parties to a marriage, the cleric or magistrate officiating at the marriage would have to fill in the appropriate space of the marriage certificate indicating whether the parties did or did not receive premarital education. Parties who did receive premarital education would have to verify completion of the education by a sworn statement to that effect in the marriage license or certificate.

Senate Bill 963 (S-2) is tie-barred to House Bill 5473 (which would make the same amendment to Public Act 128) and Senate Bill 964.

Senate Bill 964 (S-2) would amend Public Act 128 to provide that a man and a woman who intended to apply for a marriage license together would have to complete a program in premarital education. They would have to verify completion of a program by making a statement to that effect in the marriage license application and filing with the application a certificate of completion from the program administrator.

If an individual who intended to apply for a marriage license were under 18 years old, both parties applying for the license and at least one parent or guardian of each party who was a minor would have to complete and verify a program of premarital education. The parent's or guardian's attendance would not be required if the minor were emancipated.

If either party to a marriage license application chose not to comply with the premarital education program requirement, a longer waiting period would apply under amendments to the Act proposed by House Bill 5467, unless both applicants were at least 50 years old.

A premarital education program would have to emphasize skill-building strategies and include, at least, conflict management, communication skills, financial matters, and, if the couple had or intended to have children, child and parenting responsibilities. The program would have to be at least four hours long and be conducted by one or more of the following:

- A licensed professional counselor, licensed marriage and family therapist, licensed or limited licensed psychologist, certified social worker, or licensed or registered social worker.
- A psychiatrist.
- An official representative of a religious institution.

An individual who provided a premarital education program could offer a fee schedule that accommodated families of various financial means, including allowing participation by

indigent individuals for no fee. Payment for a premarital education program would have to be made directly to the program provider.

Senate Bill 964 (S-2) is tie-barred to House Bill 5467 (which would amend Public Act 128 to prevent a county clerk from delivering a marriage license before 28 days after the parties applied, if they did not comply with the premarital education requirements).

Both Senate bills would take effect on October 1, 2004.

MCL 551.104 (S.B. 963)
551.102 (S.B. 964)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Date Completed: 9-27-04

Fiscal Analyst: David Zin

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.