

**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2004**

**Introduced by Senators Sanborn, Cropsey, Garcia, Birkholz, Kuipers, Allen, Hardiman, Bishop, McManus
and Goschka**

ENROLLED SENATE BILL No. 964

AN ACT to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending the title and section 2 (MCL 551.102), as amended by 1998 PA 333, and by adding sections 2a and 2b.

The People of the State of Michigan enact:

TITLE

An act to establish the minimum ages for contracting marriages; to establish premarital education; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act.

Sec. 2. (1) Blank forms for a marriage license and certificate shall be prepared and furnished by the state registrar appointed by the director of the department of community health to each county clerk of this state in the quantity needed. The blank form for a license and certificate shall be made in duplicate and shall provide spaces for the entry of identifying information of the parties and other items prescribed by statute and in rules promulgated by the director of the department of community health. The state registrar shall furnish to each county clerk of this state blank application forms that include a sworn statement containing the requisite allegations, under the laws of this state, of the competency of the parties to unite in the bonds of matrimony.

(2) A party applying for a license to marry shall make and file the application in the form of a sworn statement with the county clerk as a basis for issuing the license. The license shall be made a matter of record and shall be transmitted

to the department of community health in the manner prescribed by the state registrar. The state registrar shall not require an applicant's social security number to be displayed on the marriage license.

(3) A person shall not disclose, in a manner not authorized by law or rule, a social security number collected as required by this section. A violation of this subsection is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both. A second or subsequent violation of this subsection is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(4) A requirement under this section to include a social security number on an application does not apply to an applicant who demonstrates he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number under these circumstances. The county clerk shall inform the applicant of this possible exemption.

Sec. 2a. (1) Except as provided in subsection (3), a man and a woman who intend to apply for a marriage license shall together complete a program in premarital education as prescribed in section 2b. The individuals applying for the marriage license shall verify completion of the premarital education program by a statement to that effect in the application sworn statement and by filing with the application a certificate of completion from the program administrator.

(2) Except as provided in subsection (3), if an individual who is intending to apply for a marriage license is less than 18 years of age, both parties applying for the license and at least 1 parent or guardian of each party who is a minor shall complete and verify completion of a program of premarital education as prescribed in section 2b. The parent's or guardian's attendance requirement prescribed by this subsection does not apply if the minor who intends to apply for a marriage license is emancipated as provided in 1968 PA 293, MCL 722.1 to 722.6.

(3) An individual applying for a marriage license may choose not to comply with this section. If either party to a marriage license application does not comply with this section, a longer waiting period applies as provided in section 3a. This section and the longer waiting period prescribed in section 3a do not apply if both the man and the woman applying for the marriage license are 50 years of age or older.

Sec. 2b. (1) A premarital education program required by section 2a shall meet all of the following criteria:

(a) The program shall emphasize skill-building strategies and shall include, at least, conflict management, communication skills, financial matters, and, if the couple has or intends to have children, child and parenting responsibilities.

(b) The program shall be at least 4 hours long and shall be conducted by 1 or more of the following:

(i) A licensed professional counselor, licensed marriage and family therapist, licensed or limited licensed psychologist, or, until July 1, 2005, certified social worker or social worker licensed or registered as required in article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838, or, beginning July 1, 2005, a social worker, licensed master's social worker, licensed bachelor's social worker, or social service technician as prescribed under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(ii) A psychiatrist as that term is defined in section 100c of the mental health code, 1974 PA 258, MCL 330.1100c.

(iii) An official representative of a religious institution.

(2) An individual who provides a premarital education program under this section may offer a fee schedule for the program described in this section that accommodates families of various financial means, including allowing participation by indigent individuals for no fee. Payment for a premarital education program shall be made directly to the program provider.

Enacting section 1. This amendatory act takes effect October 1, 2005.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

- (a) House Bill No. 5467.
- (b) House Bill No. 5468.
- (c) House Bill No. 5469.
- (d) House Bill No. 5470.
- (e) House Bill No. 5471.
- (f) House Bill No. 5473.
- (g) House Bill No. 5474.
- (h) Senate Bill No. 959.
- (i) Senate Bill No. 961.

(j) Senate Bill No. 963.

(k) Senate Bill No. 966.

Carol Morey Viventi

Secretary of the Senate

Ray E. Randall

Clerk of the House of Representatives

Approved

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Governor