

Legislative Analysis



MARRIAGE LICENSES

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Senate Bill 1106

Sponsor: Sen. Bev Hammerstrom

House Committee: Local Government and Urban Policy

Senate Committee: Local, Urban and State Affairs

Complete to 5-16-06

A SUMMARY OF SENATE BILL 1106 AS PASSED BY THE SENATE 5-11-06

The bill would amend Public Act 128 of 1887, concerning marriage licenses, to permit county clerks to accept electronically filed marriage license applications. If a county clerk accepts an electronically filed application, the clerk would have to print the required information from the application in the form of an affidavit and have a party named in the application sign the affidavit in the presence of the county clerk or a deputy clerk.

The bill also adds that a marriage license application would be a nonpublic record and exempt from disclosure under the Freedom of Information Act, although the application would be available, upon request, to the persons named in the application.

In addition, the act provides that parties to a marriage must wait three days to receive their marriage license (with the date of application included), although the county clerk can waive the three-day waiting period for "good and sufficient cause shown." Under the bill, if the clerk waives the waiting period, the person applying for the marriage license would be required to pay a fee in an amount determined by the county board of commissioners. The fee revenue would be deposited into the county's general fund.

MCL 551.102 et al.

FISCAL IMPACT:

The bill would increase revenue to local units of government by an unknown amount from the additional fee for marriage licenses delivered immediately.

Legislative Analyst: Mark Wolf

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