

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4295

A bill to amend 1897 PA 180, entitled
"An act to provide for the issuance of marriage licenses and
certificates without publicity in certain cases; and to provide
criminal and civil penalties for violation of this act,"
by amending section 1 (MCL 551.201), as amended by 1983 PA 199.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) When ~~a person~~**an individual** desires to keep the
2 exact date of his or her marriage to ~~a person~~**an individual** of the
3 opposite sex a secret, the **probate** judge ~~of probate~~ may issue,
4 without publicity, a marriage license to any ~~person~~**individual**
5 making application, under oath, if there is good reason expressed
6 in the application and determined to be sufficient by the **probate**
7 judge. ~~of probate.~~

1 ~~(2) The judge of probate may marry, without publicity, persons~~
2 ~~under marriageable age, as provided in section 3 of Act No. 128 of~~
3 ~~the Public Acts of 1887, being section 551.103 of the Michigan~~
4 ~~Compiled Laws, if the application for the license is accompanied by~~
5 ~~1 of the following:~~

6 ~~(a) A written request of all of the biological or adopting~~
7 ~~living parents of both parties, and their guardian or guardians if~~
8 ~~either or both of the parents are dead.~~

9 ~~(b) A written request of the parents or guardians of the party~~
10 ~~under marriageable age if only 1 party to the marriage is under the~~
11 ~~marriageable age.~~

12 ~~(3) If the noncustodial parent has been given notice of the~~
13 ~~request for consent by personal service or registered mail at his~~
14 ~~or her last known address and the noncustodial parent fails to~~
15 ~~enter an objection within 5 days after receipt of notice, then the~~
16 ~~consent shall be required only of a parent to whom custody of a~~
17 ~~child has been awarded by a court. The consent shall not be~~
18 ~~required of a parent confined under sentence in a state or federal~~
19 ~~penal institution or confined in a mental hospital under~~
20 ~~adjudication of legal incapacity by a court of competent~~
21 ~~jurisdiction or upon the return of process by the sheriff of the~~
22 ~~county in which the parent was last known to reside made not less~~
23 ~~than 5 nor more than 14 days after issuance of the process~~
24 ~~certifying that after diligent search the parent cannot be found~~
25 ~~within the county.~~

26 ~~(2) (4) The **probate** judge of probate may authorize an order~~
27 ~~nunc pro tunc regarding the date to appear on the marriage license.~~

28 Enacting section 1. This amendatory act does not take effect
29 unless all of the following bills of the 102nd Legislature are

1 enacted into law:

2 (a) Senate Bill No. 209.

3 (b) Senate Bill No. 212.

4 (c) House Bill No. 4294.

5 (d) House Bill No. 4296.