

SUBSTITUTE FOR
SENATE BILL NO. 1045

A bill 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 sections 1, 4, and 6 (MCL 551.101, 551.104, and
551.106).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. ~~It shall be necessary for all~~ **All** parties intending to
2 be married ~~to~~ **must** obtain a marriage license from the county clerk
3 of the county in which either ~~the man or woman~~ **party** resides, and
4 ~~to~~ **must** deliver the ~~said~~ license to the ~~clergyman or magistrate~~
5 **person** who is to officiate **as authorized under section 7 of 1846 RS**
6 **83, MCL 551.7**, before the marriage can be performed. If both

1 parties to be married are ~~non-residents~~ **nonresidents** of ~~the~~ **this**
 2 state, ~~it shall be necessary to~~ **1 party must** obtain such ~~the~~
 3 license from the county clerk of the county in which the marriage
 4 is to be performed.

5 Sec. 4. ~~It shall be the duty of the clergyman or magistrate,~~
 6 **The person** officiating at a marriage **as authorized under section 7**
 7 **of 1846 RS 83, MCL 551.7,** ~~to~~ **shall** fill in the spaces of the
 8 certificate left blank for the entry of the time and place of the
 9 marriage, the names and ~~residences~~ **signatures** of 2 witnesses, and
 10 ~~his own~~ **the name, title, address, and signature of the person**
 11 **officiating the marriage as authorized under section 7 of 1846 RS**
 12 **83, MCL 551.7,** in certification that the marriage has been
 13 performed by ~~him and any~~ **the person officiating the marriage. Any**
 14 and all information required to be filled in in the spaces left
 15 blank in the certificate ~~shall~~ **must** be typewritten or legibly
 16 printed. ~~He~~ **The person officiating the marriage as authorized under**
 17 **section 7 of 1846 RS 83, MCL 551.7,** shall ~~separate the duplicate~~
 18 ~~license and certificate, and deliver the half part designated~~
 19 ~~duplicate to 1 of the parties, so joined in marriage, and within 10~~
 20 days return the original to the county clerk issuing the same. ~~It~~
 21 ~~shall be the duty of such clergyman or magistrate to~~ **The person**
 22 **officiating the marriage as authorized under section 7 of 1846 RS**
 23 **83, MCL 551.7, shall** keep an accurate record of all marriages
 24 solemnized in a book used expressly for that purpose.

25 Sec. 6. Any ~~clergyman or magistrate who shall join~~ **person**
 26 **authorized to officiate a marriage under section 7 of 1846 RS 83,**
 27 **MCL 551.7, that joins** together in marriage parties who have not
 28 delivered ~~to him~~ a properly issued license, as provided for in this
 29 act, or ~~who shall violate~~ **that violates** any of the provisions of

1 this act, ~~shall be adjudged~~ **is** guilty of a misdemeanor, and ~~shall~~
2 **must** be punished by a fine of ~~100 dollars,~~ **\$500.00**, or in default
3 of **the** payment, ~~thereof,~~ by imprisonment in the county jail for a
4 term of 90 days.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 1044 of the 102nd Legislature is enacted
7 into law.