

SENATE BILL NO. 1045

October 23, 2024, Introduced by Senator KLINEFELT and referred to the Committee on Local Government.

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~~

1 **person** who is to officiate **as authorized under section 7 of 1846 RS**
2 **83, MCL 551.7**, before the marriage can be performed. If both
3 parties to be married are ~~non-residents~~ **nonresidents** of ~~the~~ **this**
4 state, ~~it shall be necessary to~~ **1 party must** obtain such ~~the~~
5 license from the county clerk of the county in which the marriage
6 is to be performed.

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

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

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

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