HOUSE BILL No. 6232

June 10, 2008, Introduced by Reps. Spade, Bieda and Meadows and referred to the
Committee on Judiciary.

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 3 (MCL 551.203).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 3. **(1)** The judge of probate shall file a complete set of

2   all papers ~~in each case~~ **RELATING TO A MARRIAGE UNDER THIS ACT** in a

3   private file, and, within 10 days after the marriage, shall forward

4   a duplicate to the registrar appointed by the ~~state~~ director of

5   ~~public~~ **THE DEPARTMENT OF COMMUNITY** health. The ~~state~~ director of

6   ~~public~~ **THE DEPARTMENT OF COMMUNITY** health shall file the duplicate

7   in a private file and record the filing in a private register. ~~The~~

8   **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2), THE** file in the

9   probate court, and the duplicate and record in the ~~state~~ department

1 of ~~public~~ **COMMUNITY** health, shall be open to inspection only upon

2 the written request and proper proof of identification of 1 or both

3 of the ~~partners~~ **PARTIES** to the marriage, or upon the written order

4 of a judge of the circuit court of this state, and only for the use

5 designated in the order. The order shall be made only upon the

6 written request of the person or persons who were married under

7 this act, or if necessary for the protection of property rights

8 arising from or affected by the marriage.

9 **(2) THE PRIVATE FILES IN SUBSECTION (1) SHALL BE MADE**

10 **AVAILABLE TO THE PUBLIC IF EITHER OF THE FOLLOWING OCCURS:**

11 **(A) BOTH OF THE PARTIES TO THE MARRIAGE REQUEST THE**

12 **PUBLICATION OF THE FILES.**

13 **(B) ONE OF THE PARTIES TO THE MARRIAGE REQUESTS THE**

14 **PUBLICATION OF THE FILES AND THE OTHER PARTY TO THE MARRIAGE IS**

15 **DECEASED.**

16 **(3) SUBSECTION (2)(B) DOES NOT APPLY IF THE PARTIES TO THE**

17 **MARRIAGE WERE DIVORCED AT THE TIME OF DEATH OF 1 OF THE PARTIES.**