

Legislative Analysis



COUNTY CLERK CAN PERFORM A MARRIAGE IN ANOTHER COUNTY WITH PERMISSION

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Senate Bill 667 (Substitute S-2)
Sponsor: Sen. Cameron S. Brown
House Committee: Judiciary
Senate Committee: Judiciary

Complete to 2-18-08

A SUMMARY OF SENATE BILL 667 AS PASSED BY THE SENATE 12-4-07

Public Act 419 of 2006 amended Chapter 83 of the Revised Statutes of 1846 (MCL 551.7), which authorizes certain individuals to perform marriages, to allow a county clerk to solemnize (perform) a marriage in the county in which he or she serves. Senate Bill 667 would further amend Chapter 83 to allow a county clerk to perform a marriage in another county with written authorization by the clerk of the other county.

Currently, if a county clerk solemnizes a marriage, the county clerk must charge and collect a fee set by the county commissioners. The fee is paid to the county treasurer and deposited in the county's general fund at the end of each month. To conform this provision to situations in which a county clerk solemnized a marriage in a different county, the bill would specify that the fee would have to be determined by the commissioners of the county in which the clerk served, be paid to the treasurer for the county in which the clerk served, and be deposited in the general fund of that county.

FISCAL IMPACT:

The bill would have no fiscal impact on the State. It may have a minimal fiscal impact on the distribution of local fee revenue depending on the number of people using clerks to solemnize a marriage in a county outside the county where the clerk serves.

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