

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.