

**SUBSTITUTE FOR  
SENATE BILL NO. 1255**

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 1 (MCL 551.201), as amended by 1983 PA 199.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. (1) When a person desires to keep the exact date of  
2 his or her marriage to a person ~~of the opposite sex~~ a secret, the  
3 **PROBATE** judge ~~of probate~~ may issue, without publicity, a marriage  
4 license to any person making application, under oath, if there is  
5 good reason expressed in the application and determined to be  
6 sufficient by the judge of probate.

7           ~~(2) The judge of probate may marry, without publicity, persons~~  
8 ~~under marriageable age, as provided in section 3 of Act No. 128 of~~

1 ~~the Public Acts of 1887, being section 551.103 of the Michigan~~  
2 ~~Compiled Laws, if the application for the license is accompanied by~~  
3 ~~1 of the following:~~

4 ~~—— (a) A written request of all of the biological or adopting~~  
5 ~~living parents of both parties, and their guardian or guardians if~~  
6 ~~either or both of the parents are dead.~~

7 ~~—— (b) A written request of the parents or guardians of the party~~  
8 ~~under marriageable age if only 1 party to the marriage is under the~~  
9 ~~marriageable age.~~

10 ~~(3) If the noncustodial parent has been given notice of the~~  
11 ~~request for consent by personal service or registered mail at his~~  
12 ~~or her last known address and the noncustodial parent fails to~~  
13 ~~enter an objection within 5 days after receipt of notice, then the~~  
14 ~~consent shall be required only of a parent to whom custody of a~~  
15 ~~child has been awarded by a court. The consent shall not be~~  
16 ~~required of a parent confined under sentence in a state or federal~~  
17 ~~penal institution or confined in a mental hospital under~~  
18 ~~adjudication of legal incapacity by a court of competent~~  
19 ~~jurisdiction or upon the return of process by the sheriff of the~~  
20 ~~county in which the parent was last known to reside made not less~~  
21 ~~than 5 nor more than 14 days after issuance of the process~~  
22 ~~certifying that after diligent search the parent cannot be found~~  
23 ~~within the county.~~

24 ~~(2) (4) The **PROBATE** judge of probate may authorize an order~~  
25 ~~nunc pro tunc regarding the date to appear on the marriage license.~~

26 Enacting section 1. This amendatory act takes effect 90 days  
27 after the date it is enacted into law.