

# SENATE BILL No. 1255

December 4, 2018, Introduced by Senators O'BRIEN and JONES 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 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 **PROBATE** judge ~~of probate~~ may marry, without publicity,  
8 persons ~~under marriageable age,~~ **WHO ARE 16 YEARS OF AGE BUT LESS**

1 **THAN 18 YEARS OF AGE**, as provided in section 3 of ~~Act No. 128 of~~  
2 ~~the Public Acts of 1887, being section 551.103 of the Michigan~~  
3 ~~Compiled Laws, 1887 PA 128, MCL 551.103~~, if the application for the  
4 license is accompanied by 1 of the following:

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

8 (b) A written request of the parents or guardians of the party  
9 ~~under marriageable age~~ **WHO IS 16 YEARS OF AGE BUT LESS THAN 18**  
10 **YEARS OF AGE** if only 1 party to the marriage is ~~under the~~  
11 ~~marriageable age~~ **16 YEARS OF AGE BUT LESS THAN 18 YEARS OF AGE**.

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

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

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