

# HOUSE BILL NO. 4775

June 15, 2023, Introduced by Reps. Brixie and Morgan and referred to the Committee on Government Operations.

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 2, 3, and 9 (MCL 551.2, 551.3, and 551.9), sections 2 and 3 as amended by 1996 PA 324; and to repeal acts and parts of acts.

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

**1**           Sec. 2. So far as its validity in law is concerned, marriage  
**2** is a civil contract between ~~a man and a woman,~~ **2 parties**, to which  
**3** the consent of parties capable in law of contracting is essential.

1 Consent alone is not enough to effectuate a legal marriage on and  
 2 after January 1, 1957. Consent ~~shall~~**must** be followed by obtaining  
 3 a license as required by section 1 of ~~Act No. 128 of the Public~~  
 4 ~~Acts of 1887, being section 551.101 of the Michigan Compiled Laws,~~  
 5 **1887 PA 128, MCL 551.101**, or as provided for by section 1 of ~~Act~~  
 6 ~~No. 180 of the Public Acts of 1897, being section 551.201 of the~~  
 7 ~~Michigan Compiled Laws,~~**1897 PA 180, MCL 551.201**, and solemnization  
 8 as authorized by sections 7 to 18. ~~of this chapter.~~

9       Sec. 3. ~~A man shall not marry his mother, sister, grandmother,~~  
 10 ~~daughter, granddaughter, stepmother, grandfather's wife, son's~~  
 11 ~~wife, grandson's wife, wife's mother, wife's grandmother, wife's~~  
 12 ~~daughter, wife's granddaughter, brother's daughter, sister's~~  
 13 ~~daughter, father's sister, mother's sister, or cousin of the first~~  
 14 ~~degree, or another man.~~**An individual shall not marry the**  
 15 **individual's parent, sibling, grandparent, child, grandchild,**  
 16 **stepparent, grandparent's spouse, child's spouse, grandchild's**  
 17 **spouse, spouse's parent, spouse's grandparent, spouse's child,**  
 18 **spouse's grandchild, sibling's child, parent's sibling, or cousin**  
 19 **of the first degree.**

20       Sec. 9. In the solemnization of marriage, no particular form  
 21 ~~shall be~~**is** required, except that the parties ~~shall~~**must** solemnly  
 22 declare, in the presence of the person solemnizing the marriage and  
 23 the attending witnesses, that they take each other as ~~husband and~~  
 24 ~~wife,~~**spouses**; and in every case, there ~~shall~~**must** be at least 2  
 25 witnesses, besides the person solemnizing the marriage, present at  
 26 the ceremony.

27       Enacting section 1. Sections 1 and 4 of 1846 RS 83, MCL 551.1  
 28 and 551.4, are repealed.

29       Enacting section 2. This amendatory act does not take effect

1 unless both of the following occur:

2 (a) Senate Joint Resolution \_\_\_\_ or House Joint Resolution F  
3 (request no. 00367'23) of the 102nd Legislature becomes a part of  
4 the state constitution of 1963 as provided in section 1 of article  
5 XII of the state constitution of 1963.

6 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4790 (request no.  
7 00367'23 ii) of the 102nd Legislature is enacted into law.