

MARRIAGE LICENSE (EXCERPT)
Act 128 of 1887

551.102 Blank form for marriage license and certificate; preparation, contents, and distribution; furnishing blank forms of affidavit of competency; filing affidavit; electronic filing; license as matter of record; transmission to department of community health; social security number; application exempt from disclosure.

Sec. 2.

(1) Blank forms for a marriage license and certificate shall be prepared and furnished by the state registrar appointed by the director of the department of community health to each county clerk of this state in the quantity needed. The blank form for a license and certificate shall be made in duplicate and shall provide spaces for the entry of identifying information of the parties and other items prescribed in rules promulgated by the director of the department of community health. The state registrar shall furnish to each county clerk of this state blank application forms of an affidavit containing the requisite allegations, under the laws of this state, of the competency of the parties to unite in the bonds of matrimony, and as required to comply with federal law, containing a space requiring each applicant's social security number. A party applying for a license to marry shall make and file the application in the form of an affidavit with the county clerk as a basis for issuing the license. The county clerk may permit a party applying for a marriage license to submit that application electronically. If the county clerk accepts an electronically submitted application, the clerk shall print the required information from the application in the form of an affidavit and have a party named in the application sign the affidavit in the presence of the county clerk or a deputy clerk. The license shall be made a matter of record and shall be transmitted to the department of community health in the manner prescribed by the state registrar. The state registrar shall not require an applicant's social security number to be displayed on the marriage license.

(2) A person shall not disclose, in a manner not authorized by law or rule, a social security number collected as required by this section. A violation of this subsection is a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both. A second or subsequent violation of this subsection is a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(3) A requirement under this section to include a social security number on an application does not apply to an applicant who demonstrates he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number under these circumstances. The county clerk shall inform the applicant of this possible exemption.

(4) The application required to be completed under subsection (1) is a nonpublic record and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The application shall be made available, upon request, to the persons named in the application.

History: 1887, Act 128, Eff. Sept. 28, 1887 ;-- How. 6222b ;-- CL 1897, 8603 ;-- CL 1915, 11377 ;-- CL 1929, 12706 ;-- CL 1948, 551.102 ;-- Am. 1965, Act 127, Eff. Mar. 31, 1966 ;-- Am. 1978, Act 430, Imd. Eff. Oct. 5, 1978 ;-- Am. 1998, Act 333, Imd. Eff. Aug. 10, 1998 ;-- Am. 2006, Act 578, Imd. Eff. Jan. 3, 2007

Compiler's Notes: Enacting section 2 of 1998 PA 333 provides: "Enacting section 2. The family independence agency shall request from the federal government an exemption from the provisions regarding the recording of social security numbers added by this 1998 amendatory act, which are intended to be used for the collection of child support, as required by federal law in order for this state to receive certain federal funds. Upon the granting of the exemption, those provisions referred to by this enacting section shall not be utilized or enforced by the state or a local governmental entity."