



1999 ASSEMBLY BILL 574

November 3, 1999 - Introduced by Representatives STASKUNAS, LADWIG, COGGS, SYKORA, AINSWORTH, PLOUFF and ALBERS. Referred to Committee on Family Law.

- 1 **AN ACT to amend** 765.09 (title); and **to create** 765.09 (4) of the statutes; **relating**
2 **to:** requiring premarital counseling to obtain a marriage license.

Analysis by the Legislative Reference Bureau

Under current law, a county clerk may issue a marriage license to individuals who apply and present proof of identification and residence. The application must contain the social security numbers of the individuals, as well as other information required by the department of health and family services. Any individual who is under the age of 30 years must show the county clerk a certified copy of his or her birth certificate. If an individual has been previously married, he or she must submit to the clerk a copy of a divorce judgment or a copy of his or her former spouse's death certificate.

This bill provides that a county clerk may not issue a marriage license to individuals who apply unless, in addition to all the other requirements under current law, they have received at least two hours of premarital counseling. The individuals must present to the clerk a notarized attestation of the person who provided the counseling, which the clerk attaches to any marriage license issued. Counseling may be provided by a marriage and family therapist, a professional counselor, a member of the clergy or a person designated by a member of the clergy, and may address various issues or topics that are relevant to the particular marriage.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 574

1 **SECTION 1.** 765.09 (title) of the statutes is amended to read:

2 **765.09 (title) Identification of parties; statement of qualifications;**
3 **proof of premarital counseling.**

4 **SECTION 2.** 765.09 (4) of the statutes is created to read:

5 765.09 (4) The clerk may not issue a marriage license unless the parties have
6 received at least 2 hours of premarital counseling and present to the clerk a notarized
7 attestation, signed by the person who provided the counseling, confirming that the
8 parties received the counseling required under this subsection. The counseling may
9 be provided by a marriage and family therapist, a professional counselor, a member
10 of the clergy or a person designated by a member of the clergy and may address such
11 issues as faith, money, work, sex, children and extended families or any other issues
12 or topics that are relevant to the particular marriage. If the clerk issues a marriage
13 license to the parties under s. 765.12, the clerk shall attach the attestation to the
14 marriage license.

15 **SECTION 3. Initial applicability.**

16 (1) **PREMARITAL COUNSELING REQUIREMENT.** This act first applies to marriage
17 licenses applied for on the effective date of this subsection.

18 **(END)**