



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1905/1
SWB:ahc

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 602**

January 30, 2018 - Offered by Representatives KOOYENGA, WEATHERSTON and ZAMARRIPA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “SECTION 1m. 765.05 of the statutes is amended to read:

4 **765.05 Marriage license; by whom issued.** No person may be joined in
5 marriage within this state until a marriage license has been obtained for that
6 purpose from the county clerk of the county in which one of the parties has resided
7 for at least 30 days immediately prior to making application therefor. The 30-day
8 residency requirement does not apply if one of the parties is in the active military
9 service of the United States. The county clerk may, at his or her discretion, waive
10 the 30-day residency requirement. If both parties are nonresidents of the state, the
11 marriage license may be obtained from the county clerk of the county where the
12 marriage ceremony is to be performed. If one of the persons is a nonresident of the
13 county where the marriage license is to issue, the nonresident's part of the

1 application may be completed and sworn to or affirmed before the person authorized
2 to accept marriage license applications in the county and state in which the
3 nonresident resides.”.

4 **2.** Page 2, line 3: on lines 3 and 6, delete “24 hours” and substitute “3 days”.

5 **3.** Page 2, line 8: after that line insert:

6 “**SECTION 1r.** 765.09 (3) (a) of the statutes is amended to read:

7 765.09 (3) (a) Each applicant for a marriage license shall present satisfactory,
8 documentary proof of identification and residence and shall swear to or affirm the
9 application before the clerk who is to issue the marriage license or the person
10 authorized to accept marriage license applications in the county and state where the
11 party resides. The application shall contain the social security number of each party,
12 as well as any other informational items that the department of health services
13 directs, but the clerk may not require an applicant to present his or her social security
14 card issued by the federal social security administration. The portion of the marriage
15 application form that is collected for statistical purposes only shall indicate that the
16 address of the marriage license applicant may be provided by a county clerk to a law
17 enforcement officer under the conditions specified under s. 765.20 (2).”.

18 **4.** Page 2, line 16: delete “valid U.S.”.

19 **5.** Page 2, line 16: delete “state driver’s license” and substitute “license or
20 identification card that meets the requirements of P.L. 109-13”.

21 **6.** Page 3, line 7: after that line insert:

22 “**SECTION 3m.** 765.16 (1m) (intro.) of the statutes is amended to read:

23 765.16 (1m) (intro.) Marriage may be validly solemnized and contracted in this
24 state only after a marriage license has been issued therefor, and only by the mutual

1 declarations of the 2 parties to be joined in marriage that they take each other as
2 husband and wife, made before an authorized officiating person and in the presence
3 of at least 2 competent adult witnesses other than the officiating person. If one of
4 the parties is in the active military service of the United States, the presence of only
5 one competent adult witness other than the officiating person is required. The
6 following are authorized to be officiating persons:”.

7 **7.** Page 4, line 5: on lines 5 and 12, delete “2 competent adult witnesses” and
8 substitute “~~2~~ competent adult witnesses as required under s. 765.16 (1m)”.

9

(END)