

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-AB83)**

Received: **10/18/1999**

Received By: **kahlepj**

Wanted: **As time permits**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing: **Adrienne**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Dom. Rel. - marriage**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Requiring premarital counseling

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 10/18/1999	ygeller 10/18/1999		_____			
/1			jfrantze 10/18/1999	_____	lrb_docadmin 10/18/1999	lrb_docadmin 10/18/1999	

FE Sent For:

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1?	kahlepj	10/18 jca	10/18	10/18			

FE Sent For:

<END>



ASSEMBLY AMENDMENT,  
TO 1999 ASSEMBLY BILL 83

today (noon)  
J-note

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

2 1. Page 1, line 4: after "marriage" insert ", requiring premarital counseling to  
3 obtain a marriage license".

4 2. Page 3, line 1: before that line insert:

5 "SECTION 1c. 765.09 (title) of the statutes is amended to read:

6 **765.09 (title) Identification of parties; statement of qualifications;**  
7 **proof of premarital counseling**."

8 3. Page 3, line 1: delete "SECTION 1" and substitute "SECTION 1g".

9 4. Page 4, line 3: after that line insert:

10 "SECTION 1m. 765.09 (3m) of the statutes is created to read:

11 **765.09 (3m)** Subject to s. 765.26 (1) (bm), the clerk may not issue a marriage  
12 license unless the parties have received at least 2 hours of premarital counseling and  
13 present to the clerk a notarized attestation, signed by the person who provided the

1 counseling, confirming that the parties received the counseling required under this  
2 subsection. The counseling may be provided by a marriage and family therapist, a  
3 professional counselor, a member of the clergy or a person designated by a member  
4 of the clergy and shall include at least one hour of instruction related to the parenting  
5 of children and at least one hour of instruction related to marriage issues. If the clerk  
6 issues a marriage license to the parties under s. 765.12, the clerk shall attach the  
7 attestation to the marriage license.”.

8 **5.** Page 7, line 13: after that line insert:

9 “(bm) If the person who provided the counseling under par. (b) 2. also provided  
10 the counseling required under s. 765.09 (3m), the parties may submit to the clerk for  
11 attachment to the marriage license one notarized attestation that confirms that the  
12 counseling provided to the parties satisfies both requirements.”.

13 **6.** Page 13, line 13: after that line insert:

14 **“SECTION 16m. Initial applicability.**

15 (1) **PREMARITAL COUNSELING REQUIREMENT.** The treatment of section 765.09  
16 (title) and (3m) of the statutes first applies to marriage licenses applied for on the  
17 effective date of this subsection.”.

18 (END)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

763  
LRBa0160/1dn  
PJK:jlg:eh

↑  
stays

~~March 9, 1999~~ } new date

1. Rather than change the premarital counseling requirement for covenant marriages in the bill, I required persons entering into a covenant marriage to comply with both requirements: the one that applies to all persons applying for a marriage license; and the one that applies to covenant marriages. Chances are the covenant marriage premarital counseling would include most of the same issues that are required for the premarital counseling for all couples anyway. The covenant marriage premarital counseling would include the additional issues related to covenant marriage specifically, such as the grounds for divorce if there is a minor child.

2. "Marriage issues" in s. 765.09 (3m) might be a bit vague. Do you want to be any more specific? The specifics could be the same as for the covenant marriage counseling: the nature, purposes and responsibilities of marriage.

3. Because this amendment substantially expands the scope of 1999 Assembly Bill 83, it may be considered nongermane under assembly rule 54 (3) (f).

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0763/1dn  
PJK:jljg:jf

October 18, 1999

1. Rather than change the premarital counseling requirement for covenant marriages in the bill, I required persons entering into a covenant marriage to comply with both requirements: the one that applies to all persons applying for a marriage license; and the one that applies to covenant marriages. Chances are the covenant marriage premarital counseling would include most of the same issues that are required for the premarital counseling for all couples anyway. The covenant marriage premarital counseling would include the additional issues related to covenant marriage specifically, such as the grounds for divorce if there is a minor child.

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