



State of Wisconsin

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STEPHEN R. MILLER
CHIEF

June 27, 2005

MEMORANDUM

To: Representative Gard

From: Robin L. Ryan, Legislative Attorney, (608) 261-6927

Subject: Technical Memorandum to **2005 AB-501** (LRB 05-3203/1)

We received the attached technical memorandum relating to your bill. This copy is for your information and your file. If you wish to discuss this memorandum or the necessity of revising your bill or preparing an amendment, please contact me.

Date: June 22, 2005

To: Robin Ryan
Legislative Reference Bureau

From: Ellen Hadidian
Department of Health and Family Services

Re: Technical Note to AB 501

AB 501 allows a person with direct and tangible interest to petition a court to order the state registrar to impound an original marriage certificate in order to delete or change the name of a parent recorded on that document. The state registrar must then create a new marriage certificate showing the new parent information as stipulated by the court.

The resulting new marriage certificate will contain none of the signatures which were needed to make the original document a valid legal document. Because of this, it is unlikely that registrants will be able to use the document as a legal document. The original certificate and related correspondence will be impounded and the Department will not be able to provide information about the document to any inquiring agency, except that the document is on file. The Department will not be able to reveal the reason for the anomalous format of the certificate.

The bill as drafted does not mandate resigning of the document by participants. Depending on the age of the document, it may not be possible to obtain signatures by the original signers. The Department's Vital Records Office currently does not have the ability to transfer electronically any signatures from the original document to the new certificate. Implementing such technology would significantly increase the costs of this bill.