

2007 ASSEMBLY BILL 709


AN ACT to amend 765.09 (3) (b) of the statutes; relating to: requiring every applicant for a marriage license to present a certified copy of a birth certificate.

Analysis by the Legislative Reference Bureau

Under current law, an individual must be at least 18 years of age to marry in this state, unless the individual is between 16 and 18 years of age and has the written consent of his or her parent or guardian. An applicant for a marriage license who is under 30 years of age must present to the county clerk, who issues marriage licenses, a certified copy of his or her birth certificate. This bill removes the age limitation for the birth certificate requirement so that every applicant for a marriage license, regardless of age, must present to the county clerk a certified copy of his or her birth certificate.

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

SECTION 1. 765.09 (3) (b) of the statutes is amended to read:

765.09 (3) (b) Each applicant for a marriage license under 30 years of age shall exhibit to the clerk a certified copy of a birth certificate, and each applicant shall submit a copy of any judgment or death certificate affecting the applicant’s marital
status. If any applicable birth certificate, death certificate or judgment is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu of the birth certificate, death certificate or judgment. Whenever the clerk is not satisfied with the documentary proof presented, he or she shall submit the presented proof to a judge of a court of record in the county of application for an opinion as to its sufficiency.

SECTION 2. Initial applicability.

(1) This act first applies to marriage licenses for which application is made on the effective date of this subsection.

(END)