



## 1995 ASSEMBLY BILL 189

March 13, 1995 - Introduced by Representatives UNDERHEIM, URBAN, ROBSON, R. YOUNG, LADWIG, L. YOUNG, OTT, BOCK, LA FAVE, LAZICH, WASSERMAN, BOYLE, SKINDRUD and OLSEN, cosponsored by Senator ROSENZWEIG. Referred to Committee on Health.

1     **AN ACT to amend** 46.03 (34) and 765.12 (1) of the statutes; **relating to:** requiring  
2             county clerks, when issuing marriage licenses, to distribute pamphlets, if  
3             available, that describe the effects of tobacco use during pregnancy.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the department of health and social services (DHSS) must acquire and distribute to county clerks pamphlets that describe the causes and effects of fetal alcohol syndrome and the dangers to a fetus of the mother's use of cocaine or other drugs during pregnancy. County clerks must provide the pamphlets when issuing marriage licenses.

This bill requires DHSS to distribute to county clerks pamphlets that describe the dangers to a fetus of the mother's use of tobacco during pregnancy if the pamphlets are provided to DHSS free of charge. County clerks are required, under the bill, to provide this pamphlet, if it is available from DHSS, when issuing a marriage license.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

4             **SECTION 1.** 46.03 (34) of the statutes is amended to read:  
5             46.03 (34) (title) FETAL ALCOHOL SYNDROME, TOBACCO AND DRUG DANGER  
6             PAMPHLETS. The department shall acquire, without cost if possible, pamphlets that  
7             describe the causes and effects of fetal alcohol syndrome and the dangers to a fetus

1 of the mother's use of cocaine or other drugs during pregnancy and shall distribute  
2 the pamphlets free of charge to each county clerk in sufficient quantities so that each  
3 county clerk may provide pamphlets to marriage license applicants under s. 765.12  
4 (1). If pamphlets that describe the dangers to a fetus of the mother's use of tobacco  
5 during pregnancy are provided to the department free of charge, the department  
6 shall also distribute these pamphlets free of charge to each county clerk in sufficient  
7 quantities so that each county clerk may provide the pamphlets to marriage license  
8 applicants under s. 765.12 (1).

9 **SECTION 2.** 765.12 (1) of the statutes is amended to read:

10 765.12 (1) If ss. 765.02, 765.05, 765.08 and 765.09 are complied with, and if  
11 there is no prohibition against or legal objection to the marriage, the county clerk  
12 shall issue a marriage license. With each marriage license the county clerk shall  
13 provide a pamphlet describing the causes and effects of fetal alcohol syndrome, a  
14 pamphlet that describes the dangers to a fetus of the mother's use of cocaine or other  
15 drugs during pregnancy and, if available from the department of health and social  
16 services, a pamphlet describing the dangers to a fetus of the mother's use of tobacco  
17 during pregnancy. After the application for the marriage license the clerk shall, upon  
18 the sworn statement of either of the applicants, correct any erroneous, false or  
19 insufficient statement in the marriage license or in the application therefor which  
20 shall come to the clerk's attention prior to the marriage and shall show the corrected  
21 statement as soon as reasonably possible to the other applicant.

22 (END)