

State of Wisconsin



2015 Assembly Bill 573

Date of enactment: **February 29, 2016**

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2015 WISCONSIN ACT 162

AN ACT *to amend* 46.03 (34), 765.12 (1) (a), 770.07 (1) (b) 2., 770.07 (2) and 770.10 of the statutes; **relating to:**
declarations of domestic partnership and marriage licenses.

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

SECTION 1. 46.03 (34) of the statutes is amended to read:

46.03 (34) FETAL ALCOHOL SYNDROME AND DRUG DANGER PAMPHLETS INFORMATION. The department shall acquire, without cost if possible, ~~pamphlets information~~ that ~~describe~~ describes the causes and effects of fetal alcohol syndrome and the dangers to a fetus ~~of~~ from the mother's use of cocaine or other drugs during pregnancy and shall distribute the ~~pamphlets information~~ free of charge to each county clerk ~~in sufficient quantities~~ so that each county clerk may provide ~~pamphlets information~~ to marriage license applicants under s. 765.12 (1) (a) and domestic partnership applicants under s. 770.07 (2).

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

765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and if there is no prohibition against or legal objection to the marriage, the county clerk shall issue a marriage license. With each marriage license the county clerk shall provide ~~a pamphlet information~~ describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of cocaine or other drugs during pregnancy.

SECTION 3. 770.07 (1) (b) 2. of the statutes is amended to read:

770.07 (1) (b) 2. The county clerk may, at his or her discretion, issue a declaration of domestic partnership less than 5 days after application if the applicant pays an additional fee of not more than \$40 ~~\$25~~ to cover any increased processing cost incurred by the county. The county clerk shall pay this fee into the county treasury.

SECTION 4. 770.07 (2) of the statutes is amended to read:

770.07 (2) If sub. (1) and s. 770.05 are complied with, the county clerk shall issue a declaration of domestic partnership. With each declaration of domestic partnership the county clerk shall provide ~~a pamphlet information~~ describing the causes and effects of fetal alcohol syndrome and the dangers to a fetus from the mother's use of cocaine or other drugs during pregnancy. After the application for the declaration of domestic partnership is filed, the clerk shall, upon the sworn statement of either of the applicants, correct any erroneous, false, or insufficient statement in the application that comes to the clerk's attention and shall notify the other applicant of the correction, as soon as reasonably possible.

SECTION 5. 770.10 of the statutes is amended to read:

770.10 Completion and filing of declaration. In order to form the legal status of domestic partners, the individuals shall, within 30 days after the clerk issues a declaration of domestic partnership under s. 770.07 (2), complete the declaration of domestic partnership, sign the declaration, having their signatures acknowledged

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

before a notary, and submit the declaration to the register of deeds of the county in which they reside. The register of deeds shall record the declaration and forward the original to the state registrar of vital statistics.

SECTION 6. Initial applicability.

(1) The treatment of sections 765.12 (1) (a), 770.07

(1) (b) 2., and 770.07 (2) of the statutes first applies to applications filed on the effective date on this subsection.

(2) The treatment of section 770.10 of the statutes first applies to declarations of domestic partnership issued on the effective date of this subsection.

