

HB 4019

2016

1 A bill to be entitled

2 An act relating to marriage; amending s. 741.04, F.S.;
3 deleting a requirement that a marriage license only be
4 issued to one male and one female; amending s.
5 741.212, F.S.; deleting a provision specifying that
6 the term "marriage" in statute or rule means only a
7 legal union between one man and one woman as husband
8 and wife and that the term "spouse" applies only to a
9 member of such a union; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (1) of section 741.04, Florida
14 Statutes, is amended to read:

15 741.04 Marriage license issued.—

16 (1) No county court judge or clerk of the circuit court in
17 this state shall issue a license for the marriage of any person
18 unless there shall be first presented and filed with him or her
19 an affidavit in writing, signed by both parties to the marriage,
20 providing the social security numbers or any other available
21 identification numbers of each party, made and subscribed before
22 some person authorized by law to administer an oath, reciting
23 the true and correct ages of such parties and; unless both such
24 parties shall be over the age of 18 years, except as provided in
25 s. 741.0405; ~~and unless one party is a male and the other party~~
26 ~~is a female.~~ Pursuant to the federal Personal Responsibility and

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27 Work Opportunity Reconciliation Act of 1996, each party is
28 required to provide his or her social security number in
29 accordance with this section. The state has a compelling
30 interest in promoting not only marriage but also responsible
31 parenting, which may include the payment of child support. Any
32 person who has been issued a social security number shall
33 provide that number. Disclosure of social security numbers or
34 other identification numbers obtained through this requirement
35 shall be limited to the purpose of administration of the Title
36 IV-D program for child support enforcement. Any person who is
37 not a citizen of the United States may provide either a social
38 security number or an alien registration number if one has been
39 issued by the United States Bureau of Citizenship and
40 Immigration Services. Any person who is not a citizen of the
41 United States and who has not been issued a social security
42 number or an alien registration number is encouraged to provide
43 another form of identification. Nothing in this subsection shall
44 be construed to mean that a county court judge or clerk of the
45 circuit court in this state shall not issue a marriage license
46 to individuals who are not citizens of the United States if one
47 or both of the parties are unable to provide a social security
48 number, alien registration number, or other identification
49 number.

50 Section 2. Subsection (3) of section 741.212, Florida
51 Statutes, is amended to read:

52 741.212 Marriages between persons of the same sex.—

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53 ~~(3) For purposes of interpreting any state statute or~~
54 ~~rule, the term "marriage" means only a legal union between one~~
55 ~~man and one woman as husband and wife, and the term "spouse"~~
56 ~~applies only to a member of such a union.~~

57 Section 3. This act shall take effect July 1, 2016.