

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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The Committee on Judicial Oversight offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause

and insert:

Section 1. Section 741.04, Florida Statutes, is amended to read:

741.04 Marriage licenses ~~license issued.~~--Upon completion of the requirements of this section, a county court judge or clerk of the circuit court in this state shall issue a marriage license.

(1) The applicants for a marriage license shall file
~~No county court judge or clerk of the circuit court in this state shall issue a license for the marriage of any person unless there shall be first presented and filed with him or her an affidavit in writing, signed by both applicants for a marriage license parties to the marriage, attesting to the following:~~

(a) That ~~providing the social security numbers or any other available identification numbers of each party, made and~~

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1 ~~subscribed before some person authorized by law to administer~~
2 ~~an oath, reciting the true and correct ages of such parties;~~
3 ~~unless both such parties shall be over the age of 18 years,~~
4 ~~except as provided in s. 741.0405; and unless one party is a~~
5 male and the other party is a female.

6 (b) The birthdate of each of the parties.

7 (c) That both parties have obtained and read or
8 otherwise accessed the information contained in the handbook
9 or other electronic media presentation of the rights and
10 responsibilities of parties to a marriage specified in s.
11 741.0306.

12 (d) The social security number of each party.

13 Pursuant to the federal Personal Responsibility and Work
14 Opportunity Reconciliation Act of 1996, each party is required
15 to provide his or her social security number in accordance
16 with this section. ~~The state has a compelling interest in~~
17 ~~promoting not only marriage but also responsible parenting,~~
18 ~~which may include the payment of child support.~~ Any person who
19 has been issued a social security number shall provide that
20 number. Disclosure of social security numbers or other
21 identification numbers obtained through this requirement shall
22 be limited to the purpose of administration of the Title IV-D
23 program for child support enforcement. The state has a
24 compelling interest in promoting not only marriage but also
25 responsible parenting, which may include the payment of child
26 support. Any person who is not a citizen of the United States
27 ~~may provide either~~ and who does not have a social security
28 number shall provide ~~or~~ an alien registration number if one
29 has been issued by the United States Immigration and
30 Naturalization Service. Any person who is not a citizen of the
31 United States and who has not been issued a social security

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1 number or an alien registration number is encouraged to
2 provide another form of identification, ~~however,~~ nothing in
3 this ~~subsection~~ paragraph shall be construed to prohibit the
4 issuance of ~~mean that a county court judge or clerk of the~~
5 ~~circuit court in this state shall not issue~~ a marriage license
6 to individuals who are not citizens of the United States if
7 one or both of the parties have complied with paragraphs (a),
8 (b), and (c), but are unable to provide a social security
9 number, alien registration number, or other identification
10 number for the sole purpose of child support enforcement.

11 (2) If any applicant for a marriage license shall not
12 have obtained the age of 18 years, the party must additionally
13 show that he or she has complied with the requirements of s.
14 741.0405 before issuance of the marriage license.

15 (3) ~~No county court judge or clerk of the circuit~~
16 ~~court in this state shall issue a license for the marriage of~~
17 ~~any person unless there shall be first presented and filed~~
18 ~~with him or her:~~

19 (a) ~~A statement in writing, signed by both parties,~~
20 ~~which specifies whether the parties, separately or together,~~
21 ~~have completed~~ The applicants for a marriage license shall
22 present a valid certificate of completion of a premarital
23 preparation course by each party to the marriage.

24 (b) ~~A statement that verifies that both parties have~~
25 ~~obtained and read or otherwise accessed the information~~
26 ~~contained in the handbook or other electronic media~~
27 ~~presentation of the rights and responsibilities of parties to~~
28 ~~a marriage specified in s. 741.0306.~~

29 (3) ~~If a couple has not submitted to the clerk~~ both
30 parties cannot show valid certificates of completion of a
31 premarital preparation course, the effective date of the

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1 marriage license shall be delayed 3 days from the date of
 2 application. The effective date shall be printed on the
 3 marriage license in bold print. If a couple has submitted
 4 valid certificates of completion of a premarital preparation
 5 course, the effective date of the marriage license shall not
 6 be delayed. Exceptions to the delayed effective date must be
 7 granted to non-Florida residents seeking a marriage license
 8 from the state and for individuals asserting hardship.
 9 Marriage license fee waivers shall continue to be available to
 10 all eligible individuals. For state residents, a county court
 11 judge issuing a marriage license may waive the delayed
 12 effective date for good cause.

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15 ===== T I T L E A M E N D M E N T =====

16 And the title is amended as follows:

17 On page 1, lines 2-14,
 18 remove: all of said lines

19

20 and insert:

21 An act relating to marriage licenses; amending
 22 s. 741.04, F.S.; requiring that, for purposes
 23 of obtaining a marriage license, a person must
 24 complete an affidavit attesting to age, gender
 25 and having obtained and accessed handbook
 26 information; providing that a person who is a
 27 citizen of the United States shall provide a
 28 social security number; providing that a person
 29 who is not a citizen of the United States
 30 should provide a social security number, alien
 31 registration number, or other form of

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1 identification if available; provides that a
 2 person who is not a citizen of the United
 3 States may not be denied a marriage license if
 4 the affidavit requirements have been met but no
 5 other identification number is available;
 6 providing an effective date.

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