

By Senator Soto

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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 may be  
4       issued by a county court judge or clerk of the circuit  
5       court in this state only if one party to the marriage  
6       is male and the other party is female; amending s.  
7       741.212, F.S.; deleting a provision specifying that,  
8       for the purpose of interpreting any state law or rule,  
9       the term "marriage" means only a legal union between  
10      one man and one woman as husband and wife and that the  
11      term "spouse" applies only to a member of such a  
12      union; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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

18       741.04 Marriage license issued.—

19       (1) A ~~No~~ county court judge or clerk of the circuit court  
20       in this state may not ~~shall~~ issue a license for the marriage of  
21       any person unless there is ~~shall be~~ first presented and filed  
22       with him or her an affidavit in writing, signed by both parties  
23       to the marriage, providing the social security numbers or any  
24       other available identification numbers of each party, made and  
25       subscribed before a ~~some~~ person authorized by law to administer  
26       an oath, reciting the true and correct ages of such parties and  
27       unless both such parties are ~~shall be~~ over the age of 18 years,  
28       except as provided in s. 741.0405; ~~and unless one party is a~~  
29       ~~male and the other party is a female~~. Pursuant to the federal

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

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

55 741.212 Marriages between persons of the same sex.—

56 ~~(3) For purposes of interpreting any state statute or rule,~~  
57 ~~the term "marriage" means only a legal union between one man and~~  
58 ~~one woman as husband and wife, and the term "spouse" applies~~

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59 ~~only to a member of such a union.~~

60 Section 3. This act shall take effect July 1, 2015.