

HB 4037

2015

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.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
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, 2015.