By Senator Soto

14-00646-16   2016512__

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:

15

16   Section 1. Subsection (1) of section 741.04, Florida

17   Statutes, is amended to read:

18   741.04 Marriage license issued.—

19   (1) No county court judge or clerk of the circuit court in

20   this state shall issue a license for the marriage of any person

21   unless there shall be first presented and filed with him or her

22   an affidavit in writing, signed by both parties to the marriage,

23   providing the social security numbers or any other available

24   identification numbers of each party, made and subscribed before

25   some person authorized by law to administer an oath, reciting

26   the true and correct ages of such parties and~~,~~ unless both such

27   parties shall be over the age of 18 years, except as provided in

28   s. 741.0405~~; and unless one party is a male and the other party~~

29   ~~is a female~~. Pursuant to the federal Personal Responsibility and

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

14-00646-16   2016512__

30 Work Opportunity Reconciliation Act of 1996, each party is

31 required to provide his or her social security number in

32 accordance with this section. The state has a compelling

33 interest in promoting not only marriage but also responsible

34 parenting, which may include the payment of child support. Any

35 person who has been issued a social security number shall

36 provide that number. Disclosure of social security numbers or

37 other identification numbers obtained through this requirement

38 shall be limited to the purpose of administration of the Title

39 IV-D program for child support enforcement. Any person who is

40 not a citizen of the United States may provide either a social

41 security number or an alien registration number if one has been

42 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 <u>may</u> ~~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~~

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

14-00646-16   2016512__

59 only to a member of such a union.

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