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2 An act relating to marriage licenses; amending s.  
3 741.04, F.S.; providing that a marriage license may  
4 not be issued to a person under the age of 18 years  
5 except under certain circumstances; requiring parties  
6 to a marriage to file a written and signed affidavit  
7 with the county court judge or clerk of the circuit  
8 court before the judge or clerk may issue a marriage  
9 license; requiring such affidavit to include certain  
10 information; providing legislative intent; requiring  
11 each party to a marriage to provide his or her social  
12 security number or an alien registration number for  
13 purposes of child support enforcement; prohibiting a  
14 judge or clerk from issuing a marriage license unless  
15 he or she is presented with certain written  
16 statements; providing that the effective date of a  
17 marriage license must be delayed by 3 days if the  
18 parties to the marriage have not submitted valid  
19 certificates of completion of a premarital preparation  
20 course; providing exceptions; repealing s. 741.0405,  
21 F.S., relating to the issuance of marriage licenses to  
22 persons under 18 years of age; amending s. 741.05,  
23 F.S.; clarifying that a county court judge or clerk of  
24 a circuit court commits a misdemeanor if he or she  
25 issues a blank marriage license or if he or she issues  
26 a marriage license without obtaining the ages and  
27 identification numbers of the parties; conforming  
28 cross-references; providing an effective date.  
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30 Be It Enacted by the Legislature of the State of Florida:

31  
32 Section 1. Section 741.04, Florida Statutes, is amended to  
33 read:

34 (Substantial rewording of section. See  
35 s. 741.04, F.S., for present text.)

36 741.04 Issuance of marriage license.—

37 (1) A county court judge or clerk of the circuit court may  
38 not issue a license to marry to any person younger than 18 years  
39 of age, unless:

40 (a) The person is at least 17 years of age and provides the  
41 written consent of his or her parents or legal guardian, which  
42 is acknowledged by an officer authorized by law to take  
43 acknowledgements and administer oaths; and

44 (b) The older party to the marriage is not more than 2  
45 years older than the younger party to the marriage.

46 (2) A county court judge or clerk of the circuit court may  
47 not issue a license to marry until the parties to the marriage  
48 file with the county court judge or clerk of the court a written  
49 and signed affidavit, made and subscribed before a person  
50 authorized by law to administer an oath, which provides:

51 (a) The social security number or any other available  
52 identification number for each person.

53 (b) The respective ages of the parties.

54 (3) The submission of social security numbers as provided  
55 in this section is intended to support the federal Personal  
56 Responsibility and Work Opportunity Reconciliation Act of 1996.  
57 The state has a compelling interest in promoting not only  
58 marriage, but also responsible parenting, which may include the

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59 payment of child support. Any person who has been issued a  
60 social security number shall provide that number in satisfying  
61 the requirement in subsection (2). Social security numbers or  
62 other identification numbers obtained under this section may be  
63 used only for the purposes of administration in Title IV-D child  
64 support enforcement cases.

65 (a) Any person who is not a citizen of the United States  
66 may provide either a social security number or an alien  
67 registration number issued by the United States Bureau of  
68 Citizenship and Immigration Services.

69 (b) Any person who is not a citizen of the United States  
70 and who has not been issued a social security number or an alien  
71 registration number is encouraged to provide another form of  
72 identification.

73  
74 This subsection does not prohibit a county court judge or clerk  
75 of the circuit court from issuing a marriage license to  
76 individuals who are not citizens of the United States if one or  
77 both of them are unable to provide a social security number, an  
78 alien registration number, or another identification number.

79 (4) A county court judge or clerk of the circuit court may  
80 not issue a license for the marriage of any person unless the  
81 county court judge or clerk of the circuit court is first  
82 presented with both of the following:

83 (a) A written statement, signed by both parties, which  
84 specifies whether the parties, individually or together, have  
85 completed a premarital preparation course.

86 (b) A written statement that verifies that both parties  
87 have obtained and read or otherwise accessed the information

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88 contained in the handbook or other electronic media presentation  
89 of the rights and responsibilities of parties to a marriage  
90 specified in s. 741.0306.

91 (5) If a couple does not submit to the clerk of the circuit  
92 court valid certificates of completion of a premarital  
93 preparation course, the clerk shall delay the effective date of  
94 the marriage license by 3 days from the date of application, and  
95 the effective date must be printed on the marriage license in  
96 bold type. If a couple submits valid certificates of completion  
97 of a premarital preparation course, the effective date of the  
98 marriage license may not be delayed. The clerk shall grant  
99 exceptions to the delayed effective date requirement to non-  
100 Florida residents and to couples asserting hardship. Marriage  
101 license fee waivers are available to all eligible couples. A  
102 county court judge issuing a marriage license may waive the  
103 delayed effective date requirement for Florida residents who  
104 demonstrate good cause.

105 Section 2. Section 741.0405, Florida Statutes, is repealed.

106 Section 3. Section 741.05, Florida Statutes, is amended to  
107 read:

108 741.05 Penalty for violation of ss. 741.03, 741.04(2)  
109 ~~741.04(1)~~.—Any county court judge, clerk of the circuit court,  
110 or other person who violates s. 741.03 or s. 741.04(2) commits  
111 ~~shall violate any provision of ss. 741.03 and 741.04(1) shall be~~  
112 ~~guilty of~~ a misdemeanor of the first degree, punishable as  
113 provided in s. 775.082 or s. 775.083.

114 Section 4. This act shall take effect July 1, 2018.