



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa1744/1  
SWB:ahc

**ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 602**

January 10, 2018 - Offered by Representatives KOOYENGA, WEATHERSTON and ZAMARRIPA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “**SECTION 1m.** 765.05 of the statutes is amended to read:

4 **765.05 Marriage license; by whom issued.** No person may be joined in  
5 marriage within this state until a marriage license has been obtained for that  
6 purpose from the county clerk of the county in which one of the parties has resided  
7 for at least 30 days immediately prior to making application therefor resides. If both  
8 parties are nonresidents of the state, the marriage license may be obtained from the  
9 county clerk of the county where the marriage ceremony is to be performed. If one  
10 of the persons is a nonresident of the county where the marriage license is to issue,  
11 the nonresident’s part of the application may be completed and sworn to or affirmed  
12 before the person authorized to accept marriage license applications in the county  
13 and state in which the nonresident resides.”.

1           **2.** Page 2, line 8: after that line insert:

2           “**SECTION 1r.** 765.09 (3) (a) of the statutes is amended to read:

3           765.09 (3) (a) Each applicant for a marriage license shall present satisfactory,  
4 documentary proof of identification and residence and shall swear to or affirm the  
5 application before the clerk who is to issue the marriage license or the person  
6 authorized to accept marriage license applications in the county and state where the  
7 party resides. The application shall contain the social security number of each party,  
8 as well as any other informational items that the department of health services  
9 directs, but the clerk may not require an applicant to present his or her social security  
10 card issued by the federal social security administration. The portion of the marriage  
11 application form that is collected for statistical purposes only shall indicate that the  
12 address of the marriage license applicant may be provided by a county clerk to a law  
13 enforcement officer under the conditions specified under s. 765.20 (2).”.

14           **3.** Page 3, line 7: after that line insert:

15           “**SECTION 3m.** 765.16 (1m) (intro.) of the statutes is amended to read:

16           765.16 (1m) (intro.) Marriage may be validly solemnized and contracted in this  
17 state only after a marriage license has been issued therefor, and only by the mutual  
18 declarations of the 2 parties to be joined in marriage that they take each other as  
19 husband and wife, made before an authorized officiating person and in the presence  
20 of at least ~~2~~ one competent adult ~~witnesses~~ witness other than the officiating person.  
21 The following are authorized to be officiating persons:”.

22           **4.** Page 4, line 5: delete “2 competent adult witnesses” and substitute “~~2~~ one  
23 competent adult ~~witnesses~~ witness”.

