

Enrolled Senate Bill 751

Sponsored by Senator GELSER (at the request of Susan Shaw)

CHAPTER

AN ACT

Relating to documents related to marriage; creating new provisions; and amending ORS 106.041 and 106.990.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 106.041 is amended to read:

106.041. (1) All persons wishing to enter into a marriage contract shall obtain a marriage license from the county clerk upon application, directed to any person or religious organization or congregation authorized by ORS 106.120 to solemnize marriages, and authorizing the person, organization or congregation to join together as spouses in a marriage the persons named in the license.

(2) The State Registrar of the Center for Health Statistics shall provide a standard form of the application, license and record of marriage to be used in this state that must include:

(a) Each applicant's Social Security number recorded on a confidential portion of the application, license and record of marriage;

(b) Certain statistical data regarding age, place of birth, sex, occupation, residence and previous marital status of each applicant;

(c) The name and address of the affiant under ORS 106.050, if required; and

(d) Each applicant's name after marriage as provided in ORS 106.220.

(3) The form of application, license and record provided by the state registrar under subsection (2) of this section may not require an address for any religious organization or congregation authorized by ORS 106.120 to solemnize marriages.

[(3)] (4) Each applicant for a marriage license shall file with the county clerk from whom the marriage license is sought a written application for the license on forms prescribed for this purpose by the Center for Health Statistics.

[(4)] (5) A marriage license must contain the following statement: "Neither you nor your spouse is the property of the other. The laws of the State of Oregon affirm your right to enter into marriage and at the same time to live within the marriage free from violence and abuse."

[(5)] (6) An applicant may not intentionally make a material false statement in the records required by this section.

[(6)] (7) The county clerk may not issue a marriage license until the provisions of this section and ORS 106.050 and 106.060 are complied with.

SECTION 2. ORS 106.990 is amended to read:

106.990. (1) Violation of ORS 106.041 [(5)] (6) is a Class C misdemeanor.

(2) Violation of ORS 106.110 or 106.140 is a Class A misdemeanor.

(3) Refusal or neglect to comply with ORS 106.170 shall result in the forfeiture of a penalty of not less than \$10 nor more than \$50 to be recovered by action for every five days of such refusal or neglect.

SECTION 3. The amendments to ORS 106.041 and 106.990 by sections 1 and 2 of this 2017 Act apply to applications, licenses and records of marriage completed, obtained or provided on or after the effective date of this 2017 Act.

Passed by Senate March 23, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 12, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2017

Approved:

.....M.,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2017

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Dennis Richardson, Secretary of State