

Senate Bill 751

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

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits form of marriage application, license or record from requiring address for person or entity authorized to solemnize marriage.

A BILL FOR AN ACT

1
2 Relating to documents related to marriage; creating new provisions; and amending ORS 106.041 and
3 106.990.

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

5 **SECTION 1.** ORS 106.041 is amended to read:

6 106.041. (1) All persons wishing to enter into a marriage contract shall obtain a marriage license
7 from the county clerk upon application, directed to any person or religious organization or congre-
8 gation authorized by ORS 106.120 to solemnize marriages, and authorizing the person, organization
9 or congregation to join together as spouses in a marriage the persons named in the license.

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

12 (a) Each applicant's Social Security number recorded on a confidential portion of the applica-
13 tion, license and record of marriage;

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

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

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

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

21 *[(3)]* (4) Each applicant for a marriage license shall file with the county clerk from whom the
22 marriage license is sought a written application for the license on forms prescribed for this purpose
23 by the Center for Health Statistics.

24 *[(4)]* (5) A marriage license must contain the following statement: "Neither you nor your spouse
25 is the property of the other. The laws of the State of Oregon affirm your right to enter into marriage
26 and at the same time to live within the marriage free from violence and abuse."

27 *[(5)]* (6) An applicant may not intentionally make a material false statement in the records re-
28 quired by this section.

29 *[(6)]* (7) The county clerk may not issue a marriage license until the provisions of this section
30 and ORS 106.050 and 106.060 are complied with.

31 **SECTION 2.** ORS 106.990 is amended to read:

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

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

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

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

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

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