

SECOND REGULAR SESSION

SENATE BILL NO. 667

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUSSELL

Pre-filed December 1, 1999, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

25481.011

AN ACT

To repeal section 451.040, RSMo Supp. 1999, relating to marriage licenses, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 451.040, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 451.040, to read as follows:

451.040. 1. Previous to any marriage in this state, a license for that purpose shall be obtained from the officer authorized to issue the same, and no marriage contracted shall be recognized as valid unless the license has been previously obtained, and unless the marriage is solemnized by a person authorized by law to solemnize marriages.

2. Before applicants for a marriage license shall receive a license, and before the recorder of deeds shall be authorized to issue a license, the parties to the marriage shall present:

(1) An application for the license, duly executed and signed in the presence of the recorder of deeds or [their deputy] the recorder's deputy; and

(2) A sworn affidavit signed by each party stating they are single, or if they have been previously married, are now legally divorced.

Each application for a license shall contain the Social Security number of the applicant. The Social Security number contained in an application for a marriage license shall be exempt from examination and copying pursuant to section 610.024, RSMo. Upon the expiration of three days after the receipt of the application **and sworn affidavit** the recorder of deeds shall issue the license, unless one of the parties withdraws the application **and sworn affidavit**. The license shall be void after thirty days from the date of issuance.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

3. Provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, without waiting three days, such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable.

4. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor.

5. Common-law marriages shall be null and void.

6. Provided, however, that no marriage shall be deemed or adjudged invalid, nor shall the validity be in any way affected for want of authority in any person so solemnizing the marriage pursuant to section 451.100, if consummated with the full belief on the part of the persons, so married, or either of them, that they were lawfully joined in marriage.

Unofficial
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Bill

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