

FIRST REGULAR SESSION

# HOUSE BILL NO. 1200

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DIXON.

Read 1st time March 28, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2763L.01I

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### AN ACT

To repeal section 451.040, RSMo, and to enact in lieu thereof one new section relating to the issuance of marriage licenses, with a penalty provision.

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

Section A. Section 451.040, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 451.040, to read as follows: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 an application for the license, duly executed and signed in the presence of the recorder of deeds or their deputy. Each application for a license shall contain the Social Security number of the applicant, provided that the applicant in fact has a Social Security number, or the applicant shall sign a statement provided by the recorder that the applicant does not have a Social Security number. 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. **Prior to or** upon the expiration of three days after the receipt of the application the recorder of deeds [shall] **may** issue the license, unless one of the parties withdraws the application. The license shall be void after thirty days from the date of issuance.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

22           [5.] 4. Common-law marriages shall be null and void.

23           [6.] 5. Provided, however, that no marriage shall be deemed or adjudged invalid, nor  
24 shall the validity be in any way affected for want of authority in any person so solemnizing the  
25 marriage pursuant to section 451.100, if consummated with the full belief on the part of the  
26 persons, so married, or either of them, that they were lawfully joined in marriage.

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