

SENATE BILL NO. 123

INTRODUCED BY N. SWANDAL

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING MARRIAGE LICENSE APPLICATION LAWS TO PROVIDE THAT NONRESIDENT PARTIES MAY OBTAIN A LICENSE IN ANY COUNTY IN THE STATE; AND AMENDING SECTION 40-1-201, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 40-1-201, MCA, is amended to read:

"40-1-201. License application. (1) ~~A Montana resident~~ Parties may not be joined in marriage within this state until a license has been obtained for that purpose from a clerk of the district court.

(2) A license authorizes a marriage ceremony to be performed in any county of this state.

(3) ~~If both parties are nonresidents of the state, the license may be obtained from the clerk of the district court of the county where the marriage ceremony is to be performed.~~ If one of the persons an applicant for a marriage license is a nonresident of the county where the license is to issue, the ~~nonresident's~~ nonresident applicant's part of the application may be completed and sworn to or affirmed before the person authorized to accept license applications in the county and state in which ~~that person~~ the nonresident applicant resides."

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