

SENATE BILL NO. 123

INTRODUCED BY N. SWANDAL, E. BUTTREY, C. KNUDSEN, S. MORIGEAU

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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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