

**INSTRUCTIONS FOR ISSUANCE OF A MARRIAGE
LICENSE FOR OUT OF STATE APPLICANTS
WHO WILL MARRY IN BAY COUNTY**

If both parties are out of state residents and wish to marry in Bay County, please follow these steps to obtain a Michigan license to marry in Bay County:

1. Complete the information on the Affidavit.
2. Both you and your fiancé should sign the Affidavit, ***but not until you appear in front of a Notary Public for the state in which you reside.*** The Notary should observe your signatures and sign and date where indicated.
3. Be sure to mark the appropriate box on the application showing that the educational material was received.
4. Mail the original completed and notarized Affidavit back to our office, along with **photocopies of both groom's and bride's current state-issued driver license (or state ID)** no more than 33 days prior to the ceremony, enclosing a check or money order for **\$30.00**.
5. Please note that for prior marriage(s) that resulted in a divorce, Judgment(s) of Divorce are required. For prior marriages that ended due to death, a Death Certificate is required to be submitted.

Your Marriage License will be available for pickup at this office prior to your ceremony during normal office hours (8 am to 5 pm, Monday through Friday.) A friend or family member may pick it up for you if you are unable to do so. Please be sure to verify all information as changes require an order of the Court.

If you have any questions concerning this matter, please call our office at (989) 895-4280.

**Cynthia A. Luczak
Bay County Clerk
515 Center Avenue
Bay City, MI 48708**

AFFIDAVIT FOR LICENSE TO MARRY

STATE OF MICHIGAN

No. _____

County of _____

The Undersigned, being duly sworn, depose(s) and say(s) that:

MALE

FEMALE

and

FULL NAME OF MALE (First, Middle, Last)

FULL NAME OF FEMALE (First, Middle, Last)

LAST NAME BEFORE FIRST MARRIED, IF DIFFERENT

PRESENT AGE DATE OF BIRTH

PRESENT AGE DATE OF BIRTH

RESIDENCE NO. STREET

RESIDENCE NO. STREET

CITY STATE ZIP CODE

CITY STATE ZIP CODE

RESIDENCE COUNTY TIMES PREVIOUSLY MARRIED

RESIDENCE COUNTY TIMES PREVIOUSLY MARRIED

BIRTHPLACE - CITY AND STATE

BIRTHPLACE - CITY AND STATE

FATHER'S FULL NAME

FATHER'S FULL NAME

MOTHER'S FULL NAME BEFORE 1ST MARRIED

MOTHER'S FULL NAME BEFORE 1ST MARRIED

FATHER'S BIRTHPLACE MOTHER'S BIRTHPLACE

FATHER'S BIRTHPLACE MOTHER'S BIRTHPLACE

Daytime telephone: _____

intend to marry and that this affidavit is made for the purpose of obtaining a marriage license; that each of the above-named persons is of the age required by law, is not related to the other within the degree prohibited by statute and is of sufficient mental capacity to contract marriage; that said persons are acquainted with the laws of the State of Michigan relative to marriage; that there is no legal impediment to said marriage; and that to the best knowledge and belief of the undersigned, all of the foregoing statements are true.

Educational materials regarding prenatal care and the transmission and prevention of venereal disease and HIV infection, as well as information on the availability of tests for these diseases, have been received.

Signature _____ Signature _____

Social Security Number _____ Social Security Number _____

ID#: _____ ID #: _____

Subscribed to before me; County Clerk; a Notary Public of _____ County, acting in _____ County, and whose commission expires on _____, 20____; or other person authorized to administer oaths, and sworn to on _____, 20____.

Wedding date: _____ Signature _____

SUMMARIES OF CERTAIN MICHIGAN MARRIAGE LAWS

R.S. 1846, Chap. 83 (Amended by Act No. 44, P.A. 1956, Act No. 324, P.A. 1996)

SECTION 1. Section 2 of chapter 83 of the Revised Statutes of 1846, being section 551.2 of the Compiled Laws of 1948, is hereby amended to read as follows:

SEC. 2. Marriage, so far as its validity in law is concerned, is a civil contract, to which the consent of parties capable in law of contracting, is essential. Consent alone will not be enough to effectuate a legal marriage from and after January 1, 1957. Consent must be followed by the issuance of a license as provided for by section 1 of Act No. 128 of the Public Acts of 1887, as amended, being section 551.101 of the Compiled Laws of 1948, or as provided for by section 1 of Act No. 180 of the Public Acts of 1897 as amended, being section 551.201 of the Compiled Laws of 1948, and solemnization, as authorized by sections 7 to 18, inclusive, of this act,

SEC. 3. No man shall marry his mother, grandmother, daughter, granddaughter, stepmother, grandfather's wife, son's wife, grandson's wife, wife's mother, wife's grandmother, wife's daughter, wife's granddaughter, nor his sister, brother's daughter, sister's daughter, father's sister, mother's sister, or cousin of the first degree, or another man.

SEC. 4. No woman shall marry her father, grandfather, son, grandson, stepfather, grandmother's husband, daughter's husband, granddaughter's husband, husband's father, husband's grandfather, husband's son, husband's grandson, nor her brother, brother's son, sister's son, father's brother, mother's brother, or cousin of the first degree, or another woman.

SEC. 5. No marriage shall be contracted whilst either of the parties has a former wife or husband living, unless the marriage with such former wife or husband shall have been dissolved.

SEC. 6. No Insane person, idiot, or person who has been afflicted with syphilis or gonorrhea and has not been cured of the same, shall be capable of contracting marriage. *(This section further restricts the list of those who may intermarry by prohibiting the marriage of feeble-minded, imbeciles or insane persons who have been confined as such in any public institution, without a certificate from two physicians that there is no probability of transmitting their defects to their offspring.)*

ACT NO. 128, P.A. 1887 (Amended by Act No. 37, P.A. 1951, Act No. 31, P.A. 1953, Act no. 112, P.A. 1963, Act No. 23, P.A. 1967, Act No. 304, P.A. 1968, Act No. 104, P.A. 1975, Act No. 65, P.A. 1981 and Act No. 270, P.A. 1989)

Marriage: minimum age; proof; license; application, consent for underage applicant.

SEC. 3. (1) Every person who becomes 18 years of age shall be capable by law of contracting marriage. Every person who becomes 16 years of age but is less than 18 years of age shall be capable of contracting marriage with the written consent of 1 of the parents of the person or the person's legal guardian, as provided in this section. As proof of age, the party to the intended marriage, in addition to the statement of age in the application, when requested by the county clerk, shall submit a birth certificate or other proof of age . . . when it appears from the affidavit that either the applicant is applying for a license for the marriage to a person who has not become 18 years of age, the county clerk shall require that there first be produced the written consent of 1 of the parents of each of the persons who is less than 18 years of age or of the person's legal guardian to the marriage and to the issuing of the license for which application is made. The consent shall be given personally in the presence of the county clerk or be acknowledged before a notary public or other officer authorized to administer oaths unless the person does not have a living parent or guardian. A license shall not be issued by the county clerk until the requirements of this section are complied with . . .

SEC. 3a. (1) A license to marry shall not be delivered within a period of 3 days including the date of application. However, the county clerk of each county, for good and sufficient cause shown, may deliver the license immediately following the application. A marriage license issued shall be void, unless a marriage is solemnized thereunder, within 33 days after the application.

ACT NO. 491, P.A. 1988 (Amended by Act 209, P.A. of 2000)

SEC. 5119. (1) An individual applying for a marriage license shall be advised through the distribution of written educational materials by the county clerk regarding prenatal care and the transmission and prevention of venereal disease and HIV infection. The written educational materials shall describe the availability to the applicant of tests for both venereal disease and HIV infection. The information shall include a list of locations where HIV counseling and testing services funded by the department are available. The written educational materials shall be approved or prepared by the department.

(2) A county clerk shall not issue a marriage license to an applicant who fails to sign and file with the county clerk an application for a marriage license that includes a statement with a check-off box indicating that the applicant has received the educational materials regarding the transmission and prevention of both venereal disease and HIV infection and has been advised of testing for both venereal disease and HIV infection, pursuant to subsection (1).

(3) If either applicant for a marriage license undergoes a test for HIV or an antibody to HIV, and if the test results indicate that an applicant is HIV infected, the physician or a designee of the physician, the physician's assistant, the certified nurse midwife, or the certified nurse practitioner or the local health officer or designee of the local health officer administering the test immediately shall inform both applicants of the test results, and shall counsel both applicants regarding the modes of HIV transmission, the potential for HIV transmission to a fetus, and protective measures.

Sexually Transmitted Diseases
HIV/AIDS
Prenatal Care



Learn the facts

Because you care about each other

This pamphlet contains important information for couples considering marriage. In order to get a marriage license in Michigan, you must first receive written educational materials about sexually transmitted diseases (STDs), HIV/AIDS and prenatal care. Acting on this information may protect your health and the health of your spouse and children. Because you care about each other, both of you may choose to discuss these issues.

What are Sexually Transmitted Diseases (STDs)?

STDs are infections you get through having sex. They can infect many parts of your body, including your sex organs. STDs also are called VD (venereal disease) and other slang words. Some of the many STDs are gonorrhea, syphilis, hepatitis, chlamydia, herpes, genital warts, and HIV, the virus which causes AIDS.

What are some common signs and symptoms of STDs?

Some of the most common signs of STDs for women are:

- discharge from the vagina, often smelly
- burning or pain when urinating
- urinating more often
- pain or cramps in the tummy area
- bleeding between periods or after sex
- heavier and more painful periods
- sores on vagina, anus or in mouth
- warts in or around vagina and anus

Some of the most common signs of STDs for men are:

- drip from the penis or stained underwear
- burning or pain when urinating
- urinating more often
- pain or swelling in testes
- warts on penis or anus
- sores on anus or in mouth

Women and men may experience:

- warts in throat
- rectal pain
- blood or pus in stool





Why do I need to know about HIV/AIDS?

HIV/AIDS can affect your life and the life of your partner and your unborn children. HIV is one of the infections that can be spread between sex partners, through sharing needles, or from infected mothers to their children during pregnancy and birth.

How do I know if I have HIV?

Getting an HIV test is the only way to find out if you have it. Many people believe you can have HIV infection for many years before it will show up on a test. *This is not true.* Most people who become infected with HIV will usually show it on the test within three months from the time of infection.

It *is* true that you may not get sick for many years if you are infected. Knowing about your infection early and getting treatment may help you stay healthy longer. Remember, the only way to know if you have HIV infection is to be tested.

How do you get HIV?

People get infected with HIV and pass the virus to others in three main ways: through sex, through blood-to-blood contact, and through birth from an infected mother to her child.

How do you get HIV from sex?

You can get HIV infection by having sexual intercourse with an infected person whether you are male or female, and whether your sexual partners are male or female. This happens because HIV is in the semen or vaginal fluids of infected people and can enter the body through anal, vaginal, or oral intercourse. If you have another untreated STD, you could be at more risk for getting HIV if you are exposed to it. This is because your body's defenses may be weakened by the other infection.

How do you get HIV from blood?

People with HIV have the virus in their blood. When sharing injection needles, infected blood can be trapped in the needle or syringe and then injected directly into the bloodstream of the next person who uses the needle. People can become infected by sharing needles and can give the virus to their sex partners and their unborn children, if the woman becomes infected. The risk of getting HIV from a blood transfusion is very low. All donated blood is now tested for HIV.

How do babies get HIV from birth?

Babies can be born with HIV if the mother is infected. An infected woman can give HIV to her baby before it is born, during birth or through breast-feeding. The chance is approximately 25 percent that an infected pregnant woman will have an infected baby. Early treatment can make this risk much lower. Getting counseled and tested is the first step for an infected woman to increase the chance that her baby will be born without HIV infection. In Michigan, all pregnant women must be tested for HIV, hepatitis and other STDs by their health care providers. You may refuse testing. Other STDs, like hepatitis, also can be passed from an infected mother to an unborn child.

Can you get HIV from everyday contact?

No. You won't get HIV through casual contact with people around you. You won't get HIV by:

- kissing (you can't get HIV from saliva)
- shaking hands
- hugging
- swimming in a pool or by using a hot tub
- using a public restroom
- eating in a restaurant

You won't get HIV by giving blood.

How do HIV and STDs affect married people?

Married couples who are both uninfected, who have sex only with each other and who don't share needles to inject drugs are not likely to get HIV or STDs. Remember, many people who have HIV or STDs don't know that they are infected. You and your partner need to talk honestly about each other's sexual histories, STDs and the risks for HIV infection.

Getting tested for HIV and other STDs is an important step when beginning a married life together.

How can STDs and HIV be prevented?

The best way to prevent STDs, including HIV, is to have sex with only one uninfected person who has sex with only you, and to not inject drugs. Condoms have been shown to be very good protection against the sexual spread of HIV and STDs. When using a condom, remember these guidelines:

1. Use condoms made of latex rubber, not lambskin. If you cannot use latex rubbers or if you have a latex allergy, polyurethane condoms are now available. Female condoms are another option.
2. Condom use is safest with a water-based lubricant. Do not use petroleum-based jelly, cold cream, baby oil, butter, margarine or cooking shortenings. These can weaken the latex rubber condom and cause it to break. Oil-based lubricants may be used only with polyurethane condoms.
3. Don't use illegal drugs, especially injected drugs. Many drug users are addicted and need to enter a drug treatment program as quickly as possible. The use of drugs, including alcohol and some illegally used prescription drugs, can cause people to make decisions that could put them at risk for HIV and STD infections.

Is testing required to get a marriage license?

No tests are required for the marriage license. You may want to consider testing if you have had any STD or shared needles, or if you have had sex without using a condom. You may wish to consider testing if you have had sex with anyone who has done any of these things. If you do wish to be tested before getting married, be sure to ask your doctor or health care provider to explain your options, your rights and your responsibilities.

What are my STD testing options?

To get tested for STDs, you can go to your own doctor, to the special STD clinic at your local health department, or other community clinic. If you have an STD, you will be treated so you do not get sicker and so you do not infect your partner. Your partner will have the opportunity to be tested and treated, too. Everything about your case will be kept private.

Remember :

Many people do not know they are infected - they do not show any signs. If you have had unprotected sex, you may want to get tested for STDs. That's the only way to know for sure if you have one. If you do have an STD, get treated right away.

How do people get and spread STDs?

STDs are most often spread through sexual activity and sexual intercourse. Some also can be passed from pregnant women to their babies. Some people can get them by sharing needles used to inject drugs, steroids, vitamins, or other substances, or for tattoos or for ear piercing. HIV and hepatitis are STDs that can infect people who share needles for injecting, tattooing, and ear piercing.

Often, people can have an STD and not know it. Many times, their bodies do not show symptoms or signs. Even if signs appear, they may go away on their own, but the infection is still there until it is treated and it can be passed on to other people. Untreated STDs can make people very sick and unable to have children. This is true for both men and women.

How are STDs treated?

Some STDs, such as gonorrhea and syphilis, can be cured with medicine. Others, such as HIV and hepatitis, are difficult to treat. STDs don't just go away, and they will damage your body.

If you think you might have an STD, you need to get checked by a doctor or clinic. You can go to your own doctor, to the special STD or HIV clinic at your local health department, or other community clinic. No matter where you go for help, Michigan law requires that your case be kept private.

What is AIDS?

AIDS stands for Acquired Immune Deficiency Syndrome. It is a disease caused by a virus called Human Immunodeficiency Virus (HIV) that can destroy the body's ability to fight off illness. A person can have HIV infection for many years before becoming sick or developing AIDS. If a person has HIV and is not sick, the infection can still be passed to others.

What are my HIV testing options?

To get tested for HIV infection, you can choose anonymous or confidential testing. Anonymous means you can get tested using a special number instead of your name. Confidential means that you give your name but your case is kept private. The law protects your privacy.

You can go to your own doctor, to the health department or other community clinic. If you go to your own doctor, you must use your name but your case will be kept private. To be tested without using your name, you have to visit a health department or other community clinic. Before you can be tested for HIV infection, you have to sign a consent form that says you talked to a professional about your risk and that you understand what an HIV test result means. If you are infected, you will be given information and referrals to help you get medical help. The health department will help you tell your sexual or needle-sharing partner about their exposure to HIV.

If you know you have HIV infection, Michigan Law requires you to tell anyone you are going to have sex with about your infection before you have sex. Failure to do so is a felony.

For more information about HIV/AIDS or HIV testing, STDs and prenatal care, call your local health department or community clinic. For more information on HIV/AIDS, call the toll-free Michigan AIDS hotline at 1-800-872-AIDS (2437).

*Michigan Department
of Community Health*

MDCH

**Jennifer M. Granholm, Governor
Janet Olszewski, Director**

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Region 6

Bay County

1) Bay County Health Department
1200 Washington Avenue
Bay City, MI 48708
989/895-4001

2) Bay Area Social Intervention
Services (BASIS)
515 Adams
Bay City, MI 48708
989/894-2991

Genesee County

1) Genesee County Health Department
McCree North Health Center
115 East Pierson Road
Flint, MI 48505
810/785-8530

2) Planned Parenthood East Central
3371 Beecher Road
Flint, MI 48532
810/743-4490 (Burton)

3) Flint Odyssey House
1225 Martin Luther King Avenue
Flint, MI 48503
810/238-3801

4) Wellness AIDS Services
311 East Court Street
Flint, MI 48502
810/232-0888

5) University of Michigan - Flint
Room 264 - University Center
Flint, MI 48502
810/762-3456 (Students Only)

6) Your Center
4002 North Saginaw Street
Flint, MI 48502
810/789-8637

Huron County

1) Huron County Health Department
Huron County Building
1142 South Van Dyke
Bad Axe, MI 48413
989/269-9721

Lapeer County

1) Lapeer County Health Department
1575 Suncrest Drive
Lapeer, MI 48446
810/667-0391

*Call to get hours of operation.

MDCH Designated CTR Agency List 01/30/01