



AN ACT REVISING THE PERSONS WHO MAY PREPARE A DECLARATION OF MARRIAGE; REQUIRING THE OFFICE OF VITAL RECORDS TO DEVELOP A STANDARD DECLARATION OF MARRIAGE FORM; REQUIRING THE CLERKS OF DISTRICT COURT TO MAKE THE STANDARD DECLARATION OF MARRIAGE FORM AVAILABLE TO THE PUBLIC; AND AMENDING SECTION 40-1-312, MCA.

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

**Section 1.** Section 40-1-312, MCA, is amended to read:

**"40-1-312. Persons who may ~~draft~~ prepare declaration of marriage.** ~~It is unlawful for any person other than the parties to the written declaration to draw any~~ (1) Except as provided in subsection (2), a declaration of marriage must be prepared by:

(a) a party to the marriage; or

(b) ~~unless the person~~ a person who is licensed to practice law in the state of Montana.

(2) (a) The office of vital records of the department of public health and human services shall develop a standard declaration of marriage form. The form must conform with the requirements of 40-1-311 and must be notarized.

(b) The department shall provide the standard form to the clerks of district courts.

(c) Each clerk of district court shall make the standard form available for use by members of the public."

- END -

I hereby certify that the within bill,  
SB 0255, originated in the Senate.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

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Secretary of the Senate

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

SENATE BILL NO. 255

INTRODUCED BY E. MCCLAFFERTY, S. MALEK, S. WEBBER

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