

FAMILY LAW SECTION

Respectfully submits the following position on:

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SB 0229 and HB 4375

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 2,945.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor of this position was 18. The number who voted opposed to this position was 0.

Report on Public Policy Position

Name of Section:

Family Law Section

Contact person:

Kent Weichmann

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Bill Numbers:

[SB 0229](#) (Smith) Family law; marriage and divorce; prohibition on same-sex marriage; remove from foreign marriage act. Amends sec. 1 of [1939 PA 168](#) (MCL [551.271](#)) & repeals sec. 2 of 1939 PA 168 (MCL [551.272](#)).

[HB 4375](#) (Zemke) Family law; marriage and divorce; prohibition of same-sex marriage; remove from foreign marriage act. Amends sec. 1 of [1939 PA 168](#) (MCL [551.271](#)) & repeals sec. 2 of 1939 PA 168 (MCL [551.272](#)).

Date position was adopted:

April 11, 2015

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

18 Voted for position

0 Voted against position

0 Abstained from vote

3 Did not vote (absent)

Position:

Support

Explanation of the position, including any recommended amendments:

HB 4375 and SB 229 amend the statute recognizing foreign marriages to eliminate the exceptions for same sex marriages. This also eliminates the confusion of having a marriage valid in one state but not recognized here. The Family Law Section supports these bills.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2015-SB-0229>

<http://legislature.mi.gov/doc.aspx?2015-HB-4375>