



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2904

by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

750 ILCS 5/202

from Ch. 40, par. 202

Amends the Illinois Marriage and Dissolution of Marriage Act. Provides that one or both parties to a marriage may elect to change the surname by which that party wishes to be known after the solemnization of the marriage by entering the new surname in the space provided on the application for a marriage license. Provides that the entry on the application shall consist of one of the following surnames: (1) the surname of the other spouse; (2) any former surname of either spouse; (3) a name combining into a single surname all or a segment of the premarriage surname or any former surname of either spouse; or (4) a combination name separated by a hyphen or space, provided that each part of the combination surname is the premarriage surname or former surname of either spouse. Provides that the designation of a surname under the new provisions has the effect of providing a record of the surname change. Provides that the marriage certificate containing the new surname, if any, constitutes proof that the use of the new surname, or the retention of the former surname, is lawful. Effective immediately.

LRB098 08585 HEP 38702 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 202 as follows:

6 (750 ILCS 5/202) (from Ch. 40, par. 202)

7 Sec. 202. Marriage License and Marriage Certificate.†

8 (a) The Director of Public Health shall prescribe the form
9 for an application for a marriage license, which shall include
10 the following information:

11 (1) name, sex, occupation, address, social security
12 number, date and place of birth of each party to the
13 proposed marriage;

14 (2) if either party was previously married, his name,
15 and the date, place and court in which the marriage was
16 dissolved or declared invalid or the date and place of
17 death of the former spouse;

18 (3) name and address of the parents or guardian of each
19 party; ~~and~~

20 (4) whether the parties are related to each other and,
21 if so, their relationship; and †

22 (5) a designation, in accordance with subsection (c) of
23 this Section, of the surname which will be used as each

1 party's legal surname after the marriage is solemnized.

2 (b) The Director of Public Health shall prescribe the forms
3 for the marriage license, the marriage certificate and, when
4 necessary, the consent to marriage.

5 (c) One or both parties to a marriage may elect to change
6 the surname by which that party wishes to be known after the
7 solemnization of the marriage by entering the new surname in
8 the space provided on the application for a marriage license.
9 The entry on the application shall consist of one of the
10 following surnames:

11 (1) the surname of the other spouse;

12 (2) any former surname of either spouse;

13 (3) a name combining into a single surname all or a
14 segment of the premarriage surname or any former surname of
15 either spouse; or

16 (4) a combination name separated by a hyphen or space,
17 provided that each part of the combination surname is the
18 premarriage surname or former surname of either spouse.

19 The designation of a surname under this subsection (c) has
20 the effect of providing a record of the surname change. The
21 marriage certificate containing the new surname, if any,
22 constitutes proof that the use of the new surname, or the
23 retention of the former surname, is lawful.

24 (Source: P.A. 80-923.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.