

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2025

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Legislative Document

No. 83

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H.P. 47

House of Representatives, January 8, 2025

**An Act Concerning the Filing of Marriage Licenses and the  
Recording of Intentions as Part of the Electronic Vital Records  
System**

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Submitted by the Department of Health and Human Services pursuant to Joint Rule 204.  
Received by the Clerk of the House on January 6, 2025. Referred to the Committee on  
Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint  
Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative KUHN of Falmouth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §651, sub-§2**, as repealed and replaced by PL 2021, c. 49, §1,  
3 is amended to read:

4 **2. Application.** The parties wishing to record notice of their intentions of marriage  
5 shall submit an application for recording notice of their intentions of marriage. The  
6 application may be issued to any 2 persons otherwise qualified under this chapter regardless  
7 of the sex of each person if the clerk or State Registrar of Vital Statistics is satisfied as to  
8 the identity of the applicants. The application must include a signed certification that the  
9 information recorded on the application is correct and that the applicant is free to marry  
10 according to the laws of this State. If either party intends to change that party's name upon  
11 marriage, the application must include the proposed new name of that party. The  
12 applicant's signature must be acknowledged before an official authorized to take oaths. The  
13 completed application must be attached to the marriage record in the electronic system  
14 specified by the State Registrar of Vital Statistics. An application recording notice of  
15 intention to marry is not open for public inspection for 50 years from the date of the  
16 application except that:

17 A. The names of the parties for whom intentions to marry are filed and the intended  
18 date of marriage are public records and open for public inspection; and

19 B. A person with a researcher identification card under Title 22, section 2706,  
20 subsection 8 is permitted to inspect records and may be issued a noncertified copy of  
21 an application.

22 **Sec. 2. 19-A MRSA §652, sub-§5**, as amended by PL 2001, c. 354, §3 and PL  
23 2003, c. 689, Pt. B, §6, is repealed.

24 **Sec. 3. 19-A MRSA §653, sub-§1**, as amended by PL 2019, c. 340, §12, is further  
25 amended to read:

26 **1. Filing; enter notice.** A person who believes that parties are about to contract  
27 marriage when either of them ~~can not~~ cannot lawfully do so may file a caution and the  
28 reasons for the caution in the office of the clerk where notice of their intentions is required  
29 to be filed or with the State Registrar of Vital Statistics. If either party applies to enter  
30 notice of their intentions, the clerk or State Registrar of Vital Statistics shall withhold the  
31 license until the judge of probate from the county involved approves the marriage. If the  
32 license has already been issued and the parties have not yet been married, the office of the  
33 clerk or the State Registrar of Vital Statistics shall notify the parties that they may not marry  
34 until the judge of probate from the county involved approves the marriage.

35 **Sec. 4. 19-A MRSA §654, sub-§2**, as amended by PL 2019, c. 340, §13, is further  
36 amended to read:

37 **2. Return of marriage license.** The parties or the person who solemnized the  
38 marriage shall return the marriage license to the State Registrar of Vital Statistics or the  
39 clerk who issued the license within 7 working days following the date on which the  
40 marriage is solemnized by that person. The clerk and the State Registrar of Vital Statistics  
41 each shall retain a copy of the license. If a marriage license is returned later than 90 working  
42 days following the date on which the marriage is solemnized, the marriage must be marked  
43 as a delayed filing.

