

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 adding Section 221 as follows:

6 (750 ILCS 5/221 new)

7 Sec. 221. Request for changing or removing gender  
8 identifying language on a marriage certificate.

9 (a) Upon completion of an affidavit provided by the county  
10 clerk and confirmation of identity, a person, still currently  
11 married, may request a certificate of the person's current  
12 marriage free of any gender identifying language. The person  
13 may request a change from terms such as "bride" and "groom" to  
14 a nongendered term such as "spouse" or a variant of "Spouse 1"  
15 or "Spouse A". Upon such request, both parties shall be listed  
16 with a nongendered identifier on a certificate. The request  
17 shall not permanently change the gender identifying language  
18 in the clerk's records, and the affidavit and issuance shall  
19 be kept in the permanent records of the clerk.

20 The affidavit shall be created by the county clerk, may  
21 appear on a combined form with the form under subsection (b),  
22 and shall be substantially as follows:

23 REQUEST FOR NONGENDERED COPY OF A MARRIAGE CERTIFICATE

1           I, ....., state that I am a named spouse on a  
 2           marriage license held in this office, that I am still  
 3           married to the other named spouse on that marriage license  
 4           as of the date of this request, and hereby request the  
 5           holder of this record provide me, and only me, with a  
 6           marriage certificate with any gender-identifying language  
 7           removed or changed to "spouse". I affirm that this change  
 8           is for purposes of this certified copy, the change will  
 9           not be made to permanent records, and a record of this  
 10           request shall be held by the holder of this marriage  
 11           record.

12           Date.....

13           Signature.....

14           (b) If 2 parties currently married request a marriage  
 15           certificate with gender identifiers changed, such as "bride"  
 16           to "groom" or "groom" to "bride", both parties shall appear  
 17           before the clerk, indicate consent, and complete an affidavit.  
 18           If the clerk is technologically able and the parties desire,  
 19           the change in gender is permanent.

20           The affidavit shall be created by the county clerk, may  
 21           appear on a combined form with the form under subsection (a),  
 22           and shall be substantially as follows:

23           REQUEST FOR NONGENDERED COPY OF A MARRIAGE CERTIFICATE

24           We, .....[Spouse A] and .....[Spouse B], the  
 25           still-married named persons on a marriage license held in  
 26           this office as of the date of this request, hereby request

1 the holder of this record to provide a marriage  
2 certificate with gender-identifying terms such as "bride"  
3 and "groom" changed as follows:

4 .....[Name of Spouse A] Bride, Groom, or Spouse  
5 (select one).

6 .....[Name of Spouse B] Bride, Groom, or Spouse  
7 (select one).

8 We affirm that this change is for purposes of this  
9 certified copy, and the change will not be made to  
10 permanent records, unless indicated by selecting Yes or No  
11 (select one) and a record of this request shall be held by  
12 the holder of this marriage record.

13 Date.....

14 Signature of Spouse A.....

15 Signature of Spouse B.....

16 (c) If a county provides a certified record, photocopy, or  
17 reproduction of an original record in lieu of a summary data  
18 sheet, the county clerk shall work with the Department of  
19 Public Health to develop a new certificate that can be issued  
20 in lieu of a reproduction of the prior record. Nothing in this  
21 subsection authorizes the county clerk to permanently mark or  
22 deface a prior record in lieu of a summary data sheet  
23 certificate.

24 (d) When a clerk issues a nongendered marriage certificate  
25 under subsection (a), the certificate shall not include any  
26 language indicating it has been amended nor that it is not a

1 true and accurate record of the facts stated therein.