



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Registry of Vital Records and Statistics
150 Mount Vernon Street, 1st Floor
Dorchester, MA 02125-3105

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REVISED 7/31/2008

To: City and Town Clerks and the Boston Registrar
From: Stanley E. Nyberg, Ph.D
Registrar of Vital Records and Statistics
Re: Chapter 216 of the Acts of 2008
Date: July 31, 2008

Today, Governor Patrick signed into law Chapter 216 of the Acts of 2008 repealing sections 11, 12, 13 and 50 of Chapter 207 of the Massachusetts General Laws. Because the legislation has an emergency preamble, it becomes effective immediately, on July 31, 2008.

The Registry of Vital Records and Statistics (RVRS) will distribute revised forms and informational materials incorporating the changes as soon as they are available.

Until RVRS revises its forms, computer systems and instructions, the following steps must be taken to serve all applicants for Massachusetts marriage licenses.

Changes to the Instructions for Use of the Notice of Intention Form R202:

1. Clerks shall write "N/A" in fields 6A & 14A which are no longer applicable.
"If not a MA resident, I intend to reside in N/A ."

For communities using the Electronic Marriage Registration system, enter "Not Applicable" to all questions regarding where a party intends to reside. The system will be updated as soon as possible.

2. Clerks shall administer an Oath to the parties but shall revise the oath appearing in Form R202 as follows:

"I have reviewed a list of impediments to marriage for my place of residence and hereby state that there is an absence of any legal impediment to the marriage, and do hereby depose and say that all of the statements set forth in the above notice whereof I could have knowledge are true and are made under the penalties of perjury (G. L. c.4, §6, Rule 6).

3. Because it is no longer applicable, the note at the bottom of the Form R202 form shall be stricken as follows:

~~"Please note that if you are not a MA resident and you enter into a marriage in MA that would be void if contracted for in the state where you reside, your marriage 'shall be null and void.' (G.L. c.207 s.11)."~~

4. Clerks shall continue to use the Reverse Side of Form R202 for persons younger than 18 or whose legal age is in doubt. Clerks shall strike the section regarding evidence of where the parties reside and intend to continue to reside (G. L. c.207, §§ 11,12).

Clerks shall print and post the Revised List of Impediments for Massachusetts (R200m v2 07/08) (attached hereto). Clerks shall show all applicants the Revised List of Impediments for Massachusetts before administering the oath. There is no need to refer out-of-state couples to the Guide to Impediments for their home state as these no longer apply. However, all couples who intend to marry in Massachusetts must fully comply with Massachusetts impediments to marriage.

Please note that there are no changes to the Certificate of Marriage or to the Supplement to the Notice of Intention to Marry.

If you have any questions about Chapter 216 of the Acts of 2008, or other marriage-related questions, please email vital.regulation@state.ma.us or call Karin.Barrett, Assistant Registrar at (617) 740-2621 or Kerry Castrucci, Director of Registration, at (617) 740-2622.