

From the Milwaukee County Clerk, Office of the County Clerk, requesting authorization to amend Section 59.15 and Section 59.20 of the Milwaukee County Code of General Ordinances relating to fees for marriage licenses and marriage ceremonies, in accordance with the 2026 Adopted Budget, by recommending adoption of the following:

A RESOLUTION/ORDINANCE

WHEREAS, the Milwaukee County Clerk, Office of the County Clerk (County Clerk) is an independently elected Constitutional Officer, responsible under Chapter 765, Wisconsin State Statute (State Statutes), for issuing marriage licenses and collecting fees associated with those licenses; and

WHEREAS, Section 765.15, State Statutes, authorizes County Clerks to collect marriage license fees and provides that the fee amount may be established by each county; and

WHEREAS, Milwaukee County (the County) codifies its marriage license fee amount in Section 59.15, Milwaukee County Code of General Ordinances (the Code); and

WHEREAS, the County's 2026 Adopted Budget includes a provision to increase the marriage license fee to \$120.00, effective January 1, 2026; and

WHEREAS, this increase aligns with fees in the most populous counties statewide and ensures that the County Clerk can continue to provide efficient marriage license services while recovering administrative costs; and

WHEREAS, Section 59.79(5), State Statutes, authorizes counties to impose a fee for each marriage ceremony performed by a Judge or Circuit or Supplemental Court Commissioner, as specified under Section 765.16(1m)(e), State Statutes; and

WHEREAS, Section 59.20 of the Code governs the performance of marriage ceremonies at the Milwaukee County Courthouse (the Courthouse); and

WHEREAS, prior to the Coronavirus Disease pandemic, marriage ceremonies were regularly conducted at the Courthouse by Circuit Court Judges and Court Commissioners and coordinated by the County Clerk's Office; and

WHEREAS, due to pandemic-related disruptions and subsequent changes in court operations, the Chief Judge's Office has determined that the pre-pandemic model of conducting marriage ceremonies is no longer feasible; and

45 WHEREAS, after surveying court officials, it has been determined that resuming
46 marriage ceremonies at the Courthouse will require authorizing compensation for
47 Milwaukee County Circuit Court Judges and Commissioners who perform such
48 ceremonies during the usual and customary hours when the building is open to the
49 public; and

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51 WHEREAS, authorizing such compensation will allow the County Clerk's Office
52 to resume Courthouse marriage ceremonies on a schedule governed by public demand,
53 while ensuring appropriate cost recovery and equitable compensation; and

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55 WHEREAS, the Committee on Judiciary, Law Enforcement, and General
56 Services, at its meeting of December 9, 2025, recommended adoption of
57 File No. 25-725 (vote 5-0); now, therefore,

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59 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends
60 Sections 59.15 and 59.20 of the Milwaukee County Code of General Ordinances, by
61 adopting the following:

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63 **AN ORDINANCE**

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65 The County Board of Supervisors of the County of Milwaukee does ordain as
66 follows:

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68 **SECTION 1.** Section 59.15 of the Milwaukee County Code of General Ordinances of
69 Milwaukee County is hereby amended as follows:

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71 59.15. - Fees for marriage licenses, notary fees for licenses.

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73 The county clerk, pursuant to s. 765.15, Wis. Stats., receives one hundred ~~five~~
74 **twenty** dollars (~~\$105~~**20**.00) for each marriage license granted. Of the fee amount,
75 remittances are paid pursuant to Wisconsin State Statutes, with the balance to be paid
76 into the county treasury. The County Board may increase the fee through adoption of
77 the annual budget or by resolution during a budget year. The county clerk is also
78 authorized to charge a ten-dollar (\$10.00) fee for issuance of any
79 duplicate marriage license.

SECTION 2. Section 59.20 of the General Ordinances of Milwaukee County is hereby amended as follows:

59.20. - Fees for certain marriage ceremonies.

A judge or court commissioner specified in s. 765.16(5), Wis. Stats. who performs a marriage ceremony in the courthouse, safety building or children's court center during the usual and customary hours when any office in those buildings is open to the public for the transaction of business, shall ~~not~~ receive ~~any~~ compensation ~~or gratuity therefor~~ from the county ~~clerk or~~ **and shall not receive gratuity from** the parties to the marriage, but the county clerk shall collect and retain a fee from either of such parties in advance of said ceremony, and the court clerk's receipt for the fee collected shall be exhibited to the judge or court commissioner before the marriage ceremony is performed. The fee shall be set in the county's annual budget and, in each subsequent year, **may be increased** by an amount at least equal to the rate of inflation for the preceding year, and may also be increased by such additional amount as the county board may establish.

SECTION 3. The provisions of this Ordinance shall be effective upon passage and publication.

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12/09/25
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