

February 27, 1959.

House File 619

Passed on File.

By STANLEY CUNNINGHAM and CARSTENSEN.

Passed House, Date 5-4-59

Passed Senate, Date.....

Vote: Ayes 64 Nays 18

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act relating to change of name.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section six hundred seventy-four point
2 one (674.1), Code 1958, is hereby amended by adding the
3 following at the end thereof:

4 "For the purpose of this chapter, a woman shall be
5 regarded as unmarried if she is not married at the time
6 of filing the statement provided for in this chapter,
7 whether by reason of never having been married or by reason
8 of divorce, annulment of her marriage or death of her husband.

1 Sec. 2. Section six hundred seventy-four point ten
2 (674.10), Code 1958, is hereby amended by adding the following
3 at the end thereof:

4 "If a female changes her name, the surname of such new
5 name shall become the legal surname of her minor children."

1 Sec. 3. Section six hundred seventy-four point eleven
2 (674.11), Code 1958, is hereby amended by striking in line
3 two (2) the word "once" and inserting in lieu thereof the
4 word "twice".

EXPLANATION OF HOUSE FILE 619

This bill clarifies the Iowa statute on how an individual may change his or her name. The present law allows an unmarried woman to change her name as provided in chapter 674, Code 1958. Section 1 of this bill clarifies the meaning of "unmarried" and specifies that this term includes a widow or a divorced woman as well as a woman who has never been married.

The present section 674.10 now provides that when a man changes his name, his new surname becomes the legal surname of his wife and minor children. Section 2 of this bill provides that when a woman changes her name, her new surname shall be the legal

surname of her minor children. Under the present law, there is no way in which a woman who changes her name can also change the name of her minor children. This situation often causes humiliation and embarrassment to the children of a woman who changes her name.

Section 3 of this bill allows a person to change his or her name not more than twice under the provisions of chapter 674. The present law allows only one name change. A second name change will be necessary in many cases in order to change the surname of a minor child whose mother has previously changed her legal name. Many women have changed their names in the mistaken belief that the new surname would be the legal surname of their children, and this section would allow a second change by the mother to correct this problem.

HOUSE FILE 619

- 1 Amend House File 619 as follows:
- 2 1. Amend section two (2) by inserting after the period
- 3 at the end of line five (5): "However, if such female and
- 4 the father of her minor child have been divorced, and if the
- 5 father has contributed financially to the support of such minor
- 6 child within one (1) year prior to the making of the statement
- 7 provided for in this chapter, the surname of such female's new
- 8 name shall not become the legal surname of such minor child
- 9 until thirty (30) days after the father's written consent to
- 10 the change of such minor child's surname, acknowledged before
- 11 an officer authorized to take acknowledgments, shall be presented
- 12 to and filed by the clerk of the district court."
- 13 2. Amend House File 619 by adding a new section as
- 14 follows:
- 15 Sec. 4. Section six hundred seventy-four point two
- 16 (674.2), Code 1958, is hereby amended by adding thereto the
- 17 following new subsection:
- 18 "8. If such person is an unmarried woman who is the
- 19 mother of a minor child or children, such statement shall also
- 20 show with respect to each such minor child whether the consent
- 21 of the father of such child to the change of such child's
- 22 surname is required under the provisions of section six
- 23 hundred seventy-four point ten (674.10)."

adopted
5/4

Filed
April 21, 1959.

STANLEY of Muscatine.