

Senate File 2052

HUMAN RESOURCES: Bruner, Chair; Carr and Taylor

SENATE FILE 2052
BY TAYLOR

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to testing for exposure to the human
2 immunodeficiency virus or other causative agent of acquired
3 immune deficiency syndrome prior to the issuance of a marriage
4 license.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2052

1 Section 1. NEW SECTION. 595.8 PHYSICAL REQUIREMENTS FOR
2 MARRIAGE APPLICATION.

3 1. All persons making application for a license to marry
4 shall, within thirty days prior to the application, be tested
5 by a licensed physician to determine whether either of the
6 parties to the proposed marriage has been exposed to the human
7 immunodeficiency virus or any other identified causative agent
8 of acquired immune deficiency syndrome. The physician shall
9 give notice of the results, in person, to both parties to the
10 proposed marriage.

11 Upon completion of the testing, the physician shall issue a
12 certificate to the persons tested on a form prescribed by the
13 Iowa department of public health and furnished by the office
14 of the clerk of the district court. The certificate shall
15 state only that the required tests were administered and that
16 the results have been provided to both parties. The
17 certificate shall not indicate the results of the tests.

18 2. It is unlawful for the clerk of the district court of
19 any county to issue a license to marry to any person who fails
20 to present for filing with the clerk a certificate signed by
21 the physician stating that both parties to the proposed
22 marriage have been tested for exposure to the human
23 immunodeficiency virus or any other identified causative agent
24 of acquired immune deficiency syndrome.

25 3. The Iowa department of public health shall determine by
26 rule the tests to be administered pursuant to this section to
27 determine exposure to the human immunodeficiency virus or any
28 other identified causative agent of acquired immune deficiency
29 syndrome.

30 EXPLANATION

31 The bill requires the testing of persons prior to marriage
32 for the human immunodeficiency virus (HIV) or any other
33 causative agent of acquired immune deficiency syndrome (AIDS).
34 The attending physician is required, upon completion of the
35 tests, to provide the results, in person, to both parties and

1 to issue a certificate to the persons tested which states that
2 the required tests were administered and that the results have
3 been provided to both parties. However, the certificate is
4 not to indicate the results of the test.

5 The bill makes unlawful the issuing of a marriage license
6 without provision of the certificate to the clerk of district
7 court, and requires the Iowa department of public health to
8 determine the tests to be used to determine exposure to the
9 HIV or other causative agent of AIDS.

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