

Senate Amendment 3210

Amendment Text

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1 1 Amend [Senate File 353](#) as follows:
1 2 #1. By striking everything after the enacting
1 3 clause, and inserting the following:
1 4 "Section 1. Section [331.605](#), subsection 6, Code
1 5 2001, is amended to read as follows:
1 6 6. a. (1)

~~For~~

- Except as provided in subparagraph
1 7 (2), for filing an application for the license to
1 8 marry,

~~thirty five~~

- seventy dollars, which includes
1 9 payment for one certified copy of the original
1 10 certificate of marriage, to be issued following filing
1 11 of the original certificate of marriage, four dollars
1 12 of which shall be retained by the county pursuant to
1 13 subsection 5.
1 14 (2) For filing an application for the license to
1 15 marry, five dollars, if the applicants submit and the
1 16 county registrar approves the certificate of
1 17 completion of premarital education pursuant to section
1 18 595.3B. The fee includes payment for one certified
1 19 copy of the original certificate of marriage, to be
1 20 issued following filing of the original certificate of
1 21 marriage, which fee shall be retained by the county
1 22 pursuant to subsection 5.
1 23 b. For issuing an application for an order of the
1 24 district court authorizing the validation of a license
1 25 to marry before the expiration of

~~three~~

- thirty days
1 26 from the date of issuance of the license, five
1 27 dollars. The district court shall authorize the early
1 28 validation of a marriage license without the payment
1 29 of any fees imposed in this subsection upon showing
1 30 that the applicant is unable to pay the fees.
1 31 Sec. 2. NEW SECTION. 595.3B APPLICATION
1 32 PREMARITAL EDUCATION.
1 33 1. An application form for a marriage license
1 34 shall have attached a certificate form to be used by
1 35 the parties to document completion of premarital
1 36 education by the parties. The certificate shall be
1 37 completed by the parties and signed by the person who
1 38 provided the premarital education. The certificate
1 39 shall require provision of all of the following
1 40 information:
1 41 a. The name of the person providing the premarital
1 42 education and the person's signature verifying
1 43 completion of the premarital education by the parties.
1 44 b. The number of hours of premarital education
1 45 completed.
1 46 c. Whether the premarital education was provided
1 47 by personal instruction, videotaped instruction,
1 48 instruction via other electronic media, or a

1 49 combination of these methods.
1 50 2. Only premarital education provided by the
2 1 following persons meet the requirements of provision
2 2 of premarital education under this section:
2 3 a. A person ordained or designated as a leader of
2 4 a party's religious faith.
2 5 b. A person licensed to practice psychology
2 6 pursuant to chapter 154B.
2 7 c. A person licensed to practice social work
2 8 pursuant to chapter 154C.
2 9 d. A person licensed to practice marital and
2 10 family therapy pursuant to chapter 154D.

2 11 3. If the parties applying for a license to marry
2 12 complete the premarital education certificate and the
2 13 certificate is approved, the parties shall pay a fee
2 14 of only five dollars pursuant to section 331.605,
2 15 subsection 6.

2 16 Sec. 3. Section [595.4](#), Code 2001, is amended to
2 17 read as follows:

2 18 595.4 AGE AND QUALIFICATION VERIFIED
2 19 APPLICATION WAITING PERIOD EXCEPTION.

2 20 1. Previous to the issuance of any license to
2 21 marry, the parties desiring the license shall sign and
2 22 file a verified application with the county registrar
2 23 which application either may be mailed to the parties
2 24 at their request or may be signed by them at the
2 25 office of the county registrar in the county in which
2 26 the license is to be issued. The application shall
2 27 include the social security number of each applicant
2 28 and shall set forth at least one affidavit of some
2 29 competent and disinterested person stating the facts
2 30 as to age and qualification of the parties. Upon the
2 31 filing of the application for a license to marry, the
2 32 county registrar shall file the application in a
2 33 record kept for that purpose and shall take all
2 34 necessary steps to ensure the confidentiality of the
2 35 social security number of each applicant. All
2 36 information included on an application may be provided
2 37 as mutually agreed upon by the division of records and
2 38 statistics and the child support recovery unit,
2 39 including by automated exchange.

2 40 2. Upon receipt of a verified application, the
2 41 county registrar may issue the license

~~which shall not~~

2 42

~~become valid until the expiration of three days after~~

2 43

~~the date of issuance of the license~~

~~-. If the license~~

2 44 has not been issued within six months from the date of
2 45 the application, the application is void.

2 46 3. A license that is issued under subsection 2,
2 47 shall become valid as follows:

2 48 a. If the parties desiring the license have
2 49 participated in premarital education and have
2 50 documented completion of premarital education in
3 1 accordance with section 595.3B, the license shall
3 2 become valid upon the date of issuance of the license.

3 3 b. If the parties desiring the license have not
3 4 participated in premarital education and have not
3 5 documented completion of premarital education in
3 6 accordance with section 595.3B, the license shall not

3 7 become valid until the expiration of thirty days after
3 8 the date of issuance of the license.

3 9 4. A license to marry may be validated prior to
3 10 the expiration of

~~three~~

- thirty days from the date of

3 11 issuance of the license in cases of emergency or
3 12 extraordinary circumstances. An order authorizing the
3 13 validation of a license may be granted by a judge of
3 14 the district court under conditions of emergency or
3 15 extraordinary circumstances upon application of the
3 16 parties filed with the county registrar. No order may
3 17 be granted unless the parties have filed an
3 18 application for a marriage license in a county within
3 19 the judicial district. An application for an order
3 20 shall be made on forms furnished by the county
3 21 registrar at the same time the application for the
3 22 license to marry is made. After examining the
3 23 application for the marriage license and issuing the
3 24 license, the county registrar shall refer the parties
3 25 to a judge of the district court for action on the
3 26 application for an order authorizing the validation of
3 27 a marriage license prior to expiration of

~~three~~

- thirty

3 28 days from the date of issuance of the license. The
3 29 judge shall, if satisfied as to the existence of an
3 30 emergency or extraordinary circumstances, grant an
3 31 order authorizing the validation of a license to marry
3 32 prior to the expiration of

~~three~~

- thirty days from the

3 33 date of issuance of the license to marry. The county
3 34 registrar shall validate a license to marry upon
3 35 presentation by the parties of the order authorizing a
3 36 license to be validated. A fee of five dollars shall
3 37 be paid to the county registrar at the time the
3 38 application for the order is made, which fee is in
3 39 addition to the fee prescribed by law for the issuance
3 40 of a marriage license."

3 41 #2. Title page, line 1, by striking the words
3 42 "establishing covenant" and inserting the following:
3 43 "relating to".

3 44 #3. Title page, lines 1 and 2, by striking the
3 45 words "and providing an effective date".

3 46

3 47

3 48

3 49 STEVEN D. HANSEN

3 50 SF 353.702 79

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