

House Amendment 8675

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1 1 Amend House File 2700 as follows:
1 2 #1. Page 34, by inserting after line 28 the
1 3 following:
1 4 <Sec. _____. Section 595.4, Code 2007, is amended to
1 5 read as follows:
1 6 595.4 AGE AND QUALIFICATION == RESIDENCY ==
1 7 VERIFIED APPLICATION == WAITING PERIOD == EXCEPTION.
1 8 1. a. Previous to the issuance of any license to
1 9 marry, the parties desiring the license shall sign and
1 10 file a verified application with the county registrar
1 11 which application either may be mailed to the parties
1 12 at their request or may be signed by them at the
1 13 office of the county registrar in the county in which
1 14 the license is to be issued.
1 15 b. The application shall include the social
1 16 security number of each applicant and shall set forth
1 17 at least one affidavit of some competent and
1 18 disinterested person stating the facts as to age and
1 19 qualification of the parties.
1 20 c. The application shall also include a statement
1 21 by the parties under penalty of perjury, specifying
1 22 one of the following:
1 23 (1) If either party resides in the state, the
1 24 county in which the party resides and the length of
1 25 such residence in the state and that the maintenance
1 26 of the residence in the state has been in good faith
1 27 and not for the primary purpose of obtaining a license
1 28 to marry in this state.
1 29 (2) If neither party resides in the state, the
1 30 state or other jurisdiction of residence of each
1 31 party, and whether the parties intend to reside in
1 32 this state following their marriage or intend to
1 33 continue to reside in another state or other
1 34 jurisdiction following their marriage.
1 35 d. Upon the filing of the application for a
1 36 license to marry, the county registrar shall file the
1 37 application in a record kept for that purpose and
1 38 shall take all necessary steps to ensure the
1 39 confidentiality of the social security number of each
1 40 applicant.
1 41 e. All information included on an application may
1 42 be provided as mutually agreed upon by the division of
1 43 records and statistics and the child support recovery
1 44 unit, including by automated exchange.
1 45 2. Upon receipt of a verified application, the
1 46 county registrar may issue the license which shall not
1 47 become valid until the expiration of three days after
1 48 the date of issuance of the license. If the license
1 49 has not been issued within six months from the date of
1 50 the application, the application is void.
2 1 3. A license to marry may be validated prior to
2 2 the expiration of three days from the date of issuance
2 3 of the license in cases of emergency or extraordinary
2 4 circumstances. An order authorizing the validation of
2 5 a license may be granted by a judge of the district
2 6 court under conditions of emergency or extraordinary
2 7 circumstances upon application of the parties filed
2 8 with the county registrar. No order may be granted
2 9 unless the parties have filed an application for a
2 10 marriage license in a county within the judicial
2 11 district. An application for an order shall be made
2 12 on forms furnished by the county registrar at the same
2 13 time the application for the license to marry is made.
2 14 After examining the application for the marriage
2 15 license and issuing the license, the county registrar
2 16 shall refer the parties to a judge of the district
2 17 court for action on the application for an order
2 18 authorizing the validation of a marriage license prior
2 19 to expiration of three days from the date of issuance
2 20 of the license. The judge shall, if satisfied as to
2 21 the existence of an emergency or extraordinary
2 22 circumstances, grant an order authorizing the
2 23 validation of a license to marry prior to the
2 24 expiration of three days from the date of issuance of

2 25 the license to marry. The county registrar shall
2 26 validate a license to marry upon presentation by the
2 27 parties of the order authorizing a license to be
2 28 validated. A fee of five dollars shall be paid to the
2 29 county registrar at the time the application for the
2 30 order is made, which fee is in addition to the fee
2 31 prescribed by law for the issuance of a marriage
2 32 license.

2 33 Sec. _____. Section 595.9, Code 2007, is amended to
2 34 read as follows:

2 35 595.9 VIOLATIONS == PERJURY.

2 36 1. If a marriage is solemnized without procuring a
2 37 license, the parties married, and all persons aiding
2 38 them, are guilty of a simple misdemeanor.

2 39 2. If a party knowingly makes a false statement in
2 40 an application for marriage regarding the residency of
2 41 the parties, the parties married are guilty of perjury
2 42 and shall be punished as provided in section 720.2.

2 43 Sec. _____. NEW SECTION. 595.21 NONRESIDENTS ==
2 44 MARRIAGE CONTRARY TO LAWS OF STATE OF RESIDENCE.

2 45 A marriage which is contracted in this state by a
2 46 party residing and intending to continue to reside in
2 47 another jurisdiction:

2 48 1. Is valid if such marriage would be valid if
2 49 contracted in the other jurisdiction.

2 50 2. Is void if such marriage would not be valid if
3 1 contracted in the other jurisdiction.>

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3 5 ALONS of Sioux

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