

January 31, 1961.
Judiciary 1.

House File 223
By EDGINGTON, OLSON, MUELLER,
BOCK and HANSON of Mitchell.

Passed House, Date 4-7-61

Passed Senate, Date 5-3-61

Vote: Ayes 65 Nays 38

Vote: Ayes 34 Nays 19

Approved.....

House concurred 5-5-61

after reconsidering amendment 5-4-61

Ayes 43 Nays 13

A BILL FOR

Ayes 45 Nays 2

An Act relating to requirements for issuance of marriage licenses.

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

- 1 Section 1. Section five hundred ninety-six point four
- 2 (596.4), Code 1958, is hereby amended by adding thereto the
- 3 following paragraph:
- 4 "Immediately upon receipt of an application for a license
- 5 to marry, the clerk of the district court shall place the
- 6 parties' record of application for license to marry in a book
- 7 kept for that purpose, and after the expiration of three (3)
- 8 days after the date of said application, if the clerk of the
- 9 district court is satisfied that there is no legal impediment,
- 10 and one or both of the parties are present, he shall grant
- 11 such marriage license."

EXPLANATION OF HOUSE FILE 223

As the law now stands, the northern border counties of the state are getting an influx of marriage license requests. Most adjoining states have a waiting period, and this change would bring Iowa in line with these other states, and would stop this influx.

HOUSE FILE 228

1 Amend House File 223 by striking all after the enacting
 2 clause and substituting in lieu thereof the following:
 3 "Section 1. Section five hundred ninety-five point four
 4 (594.4), Code 1958, is hereby repealed and the following sub-
 5 stituted in lieu thereof:
 6 "Previous to the issuance of any license to marry, the
 7 parties desiring such license shall sign and file a verified
 8 application with the clerk of court which application either
 9 may be mailed to the parties at their request or may be
 10 signed by them at the office of the clerk of the district
 11 court in the county in which the license is to be issued.
 12 Such application shall set forth at least one affidavit of
 13 some competent and disinterested person stating such facts
 14 as to age and qualification of the parties as the clerk may
 15 deem necessary to determine the competency of the parties to
 16 contract a marriage. Upon filing of the application for
 17 a license to marry the clerk of the district court shall file
 18 the application in a record kept for that purpose and no li-
 19 cense shall be issued until the expiration of three days from
 20 the date of filing the application. After the expiration of
 21 three days from the date of filing the clerk shall issue the
 22 license to the parties if he is satisfied as to the compe-
 23 tency of the parties to contract a marriage."

*See
 concerned
 5-5-61*

*Adopted
 5-2-61*

Filed
 May 1, 1961.

By RIGLER

HOUSE FILE 223

1 Amend House File 223 by adding the following new section:
 2 "Sec. 2. Marriages contracted subsequent to July 4, 1961,
 3 other than under the provisions of this chapter, shall be null
 4 and void."

*Amended
 5-4-61*

Filed and adopted
 May 3, 1961.

By WOLF and SHAFF

HOUSE FILE 223

1 Amend House File 223 by adding thereto the following new
 2 sections:
 3 Section 1. Section five hundred ninety-five point four (595.4),
 4 Code 1958, is amended by adding thereto the following:
 5 "If the person making the application for a license is under
 6 twenty-one years of age, he or she shall present his or her
 7 birth certificate to the clerk."
 8 Sec. 2. Section five hundred ninety-five point ten (595.10)
 9 Code 1958, is amended by repealing subsection one (1).

*See 1 as amended
 adopted 4-7-61*

*See 2 added
 not genuine
 4-7-61*

Filed
 March 23, 1961.

EDINGTON of Franklin.

HOUSE FILE 223

1 Amend the Edgington amendment to House File 223, filed
 2 March 23, 1961, as follows:
 3 Amend line seven (7) by inserting after the word "certificate"
 4 the words "or other documentary evidence of age".

*Adopted
 4-7-61*

Filed
 April 6, 1961.

ANDERSEN of Woodbury.

HOUSE FILE 223

1 Amend House File 223 by striking from lines one (1) and
 2 two (2) of section one (1) the following: "Section five
 3 hundred ninety-six point four (596.4)" and inserting in lieu
 4 thereof the following: "Section five hundred ninety-five
 5 point four (595.4)".

Filed and adopted
 April 6, 1961.

EDINGTON of Franklin.