

February 3, 1961.
Judiciary 1.

House File 271
By DIETZ and KNOWLES.

Passed House, Date.....*4-17-61*

Passed Senate, Date.....*5-3-61*

Vote: Ayes.....*78* Nays.....*0*

Vote: Ayes.....*43* Nays.....*0*

Approved.....*Recommenced 5-11-61*

House concurred 5-5-61

ayes 92 nays 1 **A BILL FOR** *ayes 49 nays 6*

An Act relating to marriage licenses for minors who have no living parents or guardians.

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

- 1 Section 1. Section five hundred ninety-five point three
- 2 (595.3), Code 1958, as amended by chapter one hundred fifty-two
- 3 (152), Acts of the Fifty-eighth General Assembly, is hereby
- 4 amended by inserting in subsection two (2), line seven (7),
- 5 after the word "certificate" the following:
- 6 "but if such minor has no guardian then the judge of the
- 7 district court having jurisdiction in the county may, after
- 8 hearing, upon proper cause shown, execute such certificate."

EXPLANATION OF HOUSE FILE 271

This bill provides that minors who have no living parents or guardians may obtain from the judge of the district court, after hearing and upon proper cause shown, a certificate of consent as provided in section 595.3, Code 1958, so that they may obtain a marriage license.

HOUSE FILE 271

1 Amend House File 271 by adding thereto the following
 2 sections:
 3 Sec. 2. Section five hundred ninety-five point four
 4 (595.4), Code 1958, is hereby amended by striking all after
 5 the word "require" in line three (3) and inserting in lieu
 6 thereof the following: "that every person or persons
 7 making application for a marriage license shall produce to
 8 the clerk of the district court a copy of his and her birth
 9 certificate to determine the age of such applicants and at
 10 least one affidavit from some competent and disinterested
 11 person stating such facts and qualifications of the parties
 12 as the clerk may deem necessary to determine the competency
 13 of the parties to contract a marriage. Any person applying
 14 for a marriage license who has been divorced shall furnish
 15 to the clerk a copy of the divorce decree in compliance with
 16 section five hundred ninety-eight point seventeen (598.17)
 17 of the Code."
 18 Sec. 3. Section five hundred ninety-five point five
 19 (595.5), Code 1958, is hereby repealed.
 20 Sec. 4. Section five hundred ninety-five point seven
 21 (595.7), Code 1958, is hereby amended by striking from line
 22 five (5) the period after the word "return" and adding the
 23 following: "; and upon receipt of such return, the clerk
 24 shall mail notification of such marriage to the county board
 25 of social welfare in the county or counties of residence
 26 in the United States of the contracting parties."

*Div. 1
repealed
4-17-61*

*Div. 2 & 3
adopted
4-17-61*

Filed
February 23, 1961.

SERSLAND of Winneshiek.
MUELLER of Worth.

HOUSE FILE 271

1 Amend House File 271 by adding the following as a new
 2 section:
 3 Sec. 3. Section five hundred ninety-five point seven
 4 (595.7), Code 1958, is hereby amended by striking from line
 5 five (5) the period after the word "return" and adding the
 6 following: "; and upon receipt of such return, the clerk
 7 shall mail notification of such marriage to the county clerk
 8 of court or other comparable authority in the county or
 9 counties of residence in the United States of the contracting
 10 parties."

*Adopted
5-5-61
amendment
adopted
5-4-61*

Filed
May 3, 1961.

*the
amendment
5-5-61*

By FLATT