

January 30, 1969

SENATE FILE 129

Passed on File

By BRILES and LEONARD

*Judiciary 2-3, Pass 2-18
Sen. " § 18, Pass 4-1*

Passed Senate, Date *3-14-69* Passed House, Date *4-25-69*

Vote: Ayes *50* Nays *3* Vote: Ayes *17* Nays *26*

Approved *May 1, 1969*

A BILL FOR

1 An Act relating to the issuance of marriage licenses.

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

3 Section 1. Section five hundred ninety-five point three

4 (595.3), Code 1966, is hereby amended by striking from lines

5 four (4) and five (5) the words "of the county wherein the

6 marriage is to be solemnized".

7 Sec. 2. Section five hundred ninety-five point thirteen

8 (595.13), subsection two (2), Code 1966, is hereby amended

9 by inserting in line two (2) after the word "court" the words

10 "who issued the marriage license".

11 Sec. 3. Section five hundred ninety-six point two (596.2),

12 Code 1966, is hereby amended by striking all of such section

13 after the word "court" in line thirteen (13) and inserting in

14 lieu thereof the words "at the time application for a license to

15 marry is made. If the marriage ceremony is to take place under

16 the provisions of section five hundred ninety-five point seven-

17 teen (595.17) of the Code, the certificate required by this

18 chapter shall be filed in the office of the clerk of the court

19 in the county in which such marriage ceremony is to take place."

1 Amend Senate File 129 by adding thereto the following new
2 sections:

3 Sec. 4. Section five hundred ninety-five point four (595.4),
4 Code 1966, is hereby amended by striking in line seventeen
5 (17) all of such section after the word "purpose" and inserting
6 in lieu thereof the following:

7 "After expiration of three days from the date of filing
8 the application by the parties, the clerk shall issue the
9 license if he is satisfied as to the competency of the parties
10 to contract a marriage.

11 A license to marry may be issued prior to the expiration
12 of three days from the date of filing the application for
13 such license in cases of emergency or extraordinary circum-
14 stances. An order authorizing the issuance of such license
15 may be granted by a judge of the district court under
16 conditions of emergency or extraordinary circumstances upon
17 application of the parties therefor filed with the clerk of
18 court. No such order may be granted unless the parties have
19 filed an application for a marriage license in a county
20 within the judicial district. An application for such order
21 shall be made on forms furnished by the clerk at the same
22 time the application for the license to marry is made. If
23 after examining the application for the marriage license the
24 clerk is satisfied as to the competency of the parties to
25 contract a marriage, he shall refer the parties to a judge
26 of the district court for action on the application for
27 an order authorizing the issuance of a marriage license
28 prior to expiration of three days from the date of filing
29 the application for the license. The judge shall, if
30 satisfied as to the existence of an emergency or extra-
31 ordinary circumstances, grant an order authorizing the
32 issuance of a license to marry prior to the expiration
33 of three days from the date of filing the application
34 for the license to marry. The clerk shall issue a license
35 to marry upon presentation by the parties of the order
36 authorizing such license to be issued. A fee of five dollars
37 shall be paid to the clerk at the time the application for
38 the order is made, which fee shall be in addition to the
39 fee prescribed by law for the issuance of a marriage license."

40 Sec. 5. Section six hundred six point fifteen (606.15),
41 Code 1966, as amended by chapter four hundred two (402)
42 and chapter four hundred three (403), section one (1), Acts
43 of the Sixty-second General Assembly, is hereby amended by
44 striking all of subsection twenty-eight (28) and inserting
45 in lieu thereof the following:

46 "For issuing marriage licenses, five dollars each, and
47 for issuing an application for an order of the district
48 court authorizing the issuance of a license to marry prior
49 to the expiration of three days from the date of filing the
50 application for the license, five dollars each."

Filed - *Law 4-15*
April 18, 1969

DOYLE of Woodbury

1 Amend Senate File 129 as follows:
2 1. By adding a new section as follows:
3 Section five hundred ninety-five point four (595.4),
4 Code 1966, is hereby amended by adding thereto the following
5 paragraph:
6 "At the time application for a license to marry is made,
7 or at any time after the marriage is solemnized, the parties
8 may file a signed application on forms provided by the clerk
9 of the district court directing the clerk to prepare an
10 official copy of the return of the marriage. Upon receipt
11 of such application, the clerk of the district court shall
12 prepare an official copy of the return, which copy shall be
13 presented to the parties at the office of the clerk or
14 mailed to an address designated by the parties in the
15 application filed with the clerk. A fee as prescribed in
16 chapter six hundred six (606) of the Code shall be charged
17 for each copy of the official return of the marriage issued
18 to the parties. Such fee shall be paid to the clerk of the
19 district court at the time the marriage license is issued if
20 the parties file an application for a copy of the return at
21 the time application for a license to marry is filed."
22 2. By adding a new section as follows:
23 Section six hundred six point fifteen (606.15), subsection
24 twenty-eight (28), Code 1966, as amended by chapter four
25 hundred two (402) Acts of the Sixty-second General
26 Asscmbly, is hereby further amended by adding thereto
27 the following sentence:
28 "For issuing copies of the official return of the
29 marriage, one dollar each."

Filed - *Withdrawn 4-25*
April 21, 1969

BAKER of Boone