

Sen. Judiciary 5/22, Pass 2/6/76

APR 22 1975
Place On Calendar

HOUSE FILE

774

House File 774
Judiciary
Doderer, Chairman
Kelly
Shaw

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

Passed House, Date 5-19-75 (1816) Passed Senate, Date 2-17-76 (p. 466)
Vote: Ayes 77 Nays 13 Vote: Ayes 44 Nays 2
Approved 3-5-76

A BILL FOR

1 An Act relating to the contents of a certificate of marriage.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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STATEMENT BY GOVERNOR ROBERT D. RAY ON HOUSE FILE 774

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March 5, 1976

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Present day Iowa marriage certificates contain a section that requests information on married persons' race, previous marriages, and educational level. House File 774 would prohibit marriage certificates from containing such information. Proponents of House File 774 have questioned the propriety of asking such questions and suggest that it is an unnecessary intrusion by government into the private lives of Iowans.

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While recognizing this concern, opponents of House File 774 have urged me to veto this measure. They point out that this information is utilized solely for statistical purposes and is closed to public inspection. Information relative to married persons' race, previous marriages, and educational level can be used for valuable studies relating to family stability and family formation, interracial marriages, and population growth. Some minority groups strongly believe that such information can be invaluable to them in dispelling old myths, rumors, and prejudice.

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I believe these two meritorious points of view can coexist.

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Certainly wherever possible we should steer government away from interfering in our private lives. Therefore I have decided to sign House File 774 into law.

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To leave it at that though would deny us a source of reliable statistics that can combat discrimination. As a solution, the Health Department informs me that in lieu of the present marriage certificate requirements they can by rule request, on a voluntary basis only, the same type of information on a separate form. When a couple would appear before the Clerk of the District Court to apply for a marriage license, they would be notified that it was not necessary to answer such questions and be given the choice of responding or not responding to the inquiry.

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By handling these supplemental questions on an optional basis, we can avoid an intrusion into personal lives where it is resented. At the same time we can still provide the Bureau of Vital Statistics with a data base for statistical inquiries into marriage which I am advised can be meaningful. The promulgation of such a rule by the Health Department is acceptable to the sponsors of House File 774 as well as opponents. The department will issue such a rule in the near future.

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1 Section 1. Chapter one hundred forty-four (144), Code
2 1975, is amended by adding the following new section:

3 NEW SECTION. CONTENTS OF MARRIAGE CERTIFICATE. The
4 certificate of marriage shall not contain information
5 concerning the race of the married persons, previous marriages
6 of the married persons, or the educational level of the married
7 persons.

8 EXPLANATION

9 This bill prohibits a certificate of marriage from
10 containing information regarding the married persons race,
11 previous marriages, and educational level.

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AN ACT

RELATING TO THE CONTENTS OF A CERTIFICATE OF MARRIAGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Chapter one hundred forty-four (144), Code 1975, is amended by adding the following new section:

NEW SECTION. CONTENTS OF MARRIAGE CERTIFICATE. The certificate of marriage shall not contain information concerning the race of the married persons, previous marriages of the married persons, or the educational level of the married persons.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 774, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 3/5, 1976

ROBERT D. RAY
Governor