

JAN 27 1988

House Judiciary & Law Enforcement *files*

HOUSE FILE 2117  
BY SWARTZ

Passed House, Date 2/10/88 (y 40) Passed Senate, Date 3/10/88 (y 20)  
Vote: Ayes 95 Nays 0 Vote: Ayes 42 Nays 0

Approved May 2, 1988

*Revised 12/15/88 by [unclear]*  
95 - 0

A BILL FOR

1 An Act allowing certain name changes in divorce and annulment  
2 decrees.

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

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HF 2117

1 Section 1. NEW SECTION. 598.37 NAME CHANGE.

2 Either party to a marriage may request as a part of the  
3 decree of dissolution or decree of annulment a change in the  
4 person's name to either the name appearing on the person's  
5 birth certificate or to the name the person had immediately  
6 prior to the marriage. If a party requests a name change  
7 other than to the name appearing on the person's birth  
8 certificate or to the name the person had immediately prior to  
9 the marriage, the request shall be made under chapter 674.

10 EXPLANATION

11 This bill allows a person who is party to a marriage to  
12 request as a part of the decree of dissolution or annulment to  
13 change the person's name to either the person's original name  
14 or to the person's name immediately prior to the marriage.

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HOUSE FILE 2117

S-5307

1 Amend House File 2117 as passed by the House as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 595.5, Code 1987, is amended  
6 to read as follows:

7 595.5 SURNAME ADOPTED.

8 ~~Upon marriage either~~ A party may request on the  
9 application for a marriage license a name change to  
10 that of the other party or to some other surname  
11 mutually agreed upon by the parties. The names used  
12 on the marriage license shall become the legal names  
13 of the parties to the marriage. The marriage license  
14 shall contain a statement that when a name change is  
15 requested and affixed to the marriage license, the new  
16 name is the legal name of the requesting party. If a  
17 party requests a name change, other than a change of  
18 surname to that of the other spouse or to a hyphenated  
19 combination of the surnames of both spouses, the party  
20 shall request approval of the court pursuant to  
21 chapter 674 and shall submit to the court the  
22 information required by section 674.2~~7~~~~and upon.~~ Upon  
23 approval of the court and solemnization of the  
24 marriage, the clerk of the district court shall send a  
25 certified copy of the return of marriage to the  
26 recorder's office in every county in this state where  
27 real property is owned by either of the parties. The  
28 judge may approve the name change. The new names and  
29 the immediate former names shall appear on the return  
30 of marriage, and the return of marriage shall be  
31 recorded in the miscellaneous records in the  
32 recorder's office. An individual can shall have only  
33 one legal name at any one time."

34 2. Title, line 1, by inserting after the word  
35 "changes" the following: "on an application for  
36 marriage or".

S-5307

Filed March 10, 1988

*Adopted 3/29 (p. 1103)*

BY DALE L. TIEDEN  
DONALD V. DOYLE

## SENATE AMENDMENT TO HOUSE FILE 2117

H-6087

1 Amend House File 2117 as passed by the House as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 595.5, Code 1987, is amended  
6 to read as follows:

7 595.5 SURNAME ADOPTED.

8 ~~Upon-marriage-either~~ A party may request on the  
9 application for a marriage license a name change to  
10 that of the other party or to some other surname  
11 mutually agreed upon by the parties. The names used  
12 on the marriage license shall become the legal names  
13 of the parties to the marriage. The marriage license  
14 shall contain a statement that when a name change is  
15 requested and affixed to the marriage license, the new  
16 name is the legal name of the requesting party. If a  
17 party requests a name change, other than a change of  
18 surname to that of the other spouse or to a hyphenated  
19 combination of the surnames of both spouses, the party  
20 shall request approval of the court pursuant to  
21 chapter 674 and shall submit to the court the  
22 information required by section 674.27--and-upon. Upon  
23 approval of the court and solemnization of the  
24 marriage, the clerk of the district court shall send a  
25 certified copy of the return of marriage to the  
26 recorder's office in every county in this state where  
27 real property is owned by either of the parties. The  
28 judge may approve the name change. The new names and  
29 the immediate former names shall appear on the return  
30 of marriage, and the return of marriage shall be  
31 recorded in the miscellaneous records in the  
32 recorder's office. An individual can shall have only  
33 one legal name at any one time."

34 2. Title, line 1, by inserting after the word  
35 "changes" the following: "on an application for  
36 marriage or".

H-6087 FILED MARCH 30, 1988 RECEIVED FROM THE SENATE

*House Committee 4/6 (p. 1434)*

HOUSE FILE 2117

AN ACT

ALLOWING CERTAIN NAME CHANGES ON AN APPLICATION FOR MARRIAGE  
OR IN DIVORCE AND ANNULMENT DECREES.

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

Section 1. Section 595.5, Code 1987, is amended to read as follows:

595.5 SURNAME ADOPTED.

Upon marriage either a party may request on the application for a marriage license a name change to that of the other party or to some other surname mutually agreed upon by the parties. The names used on the marriage license shall become the legal names of the parties to the marriage. The marriage license shall contain a statement that when a name change is requested and affixed to the marriage license, the new name is the legal name of the requesting party. If a party requests a name change, other than a change of surname to that of the other spouse or to a hyphenated combination of the surnames of both spouses, the party shall request approval of the court pursuant to chapter 674 and shall submit to the court the information required by section 674.27 and upon approval of the court and solemnization of the marriage, the clerk of the district court shall send a certified copy of the return of marriage to the recorder's office in every county in this state where real property is owned by either of the parties. The judge may approve the name change. The new names and the immediate former names shall appear on the return of marriage, and the return of marriage shall be recorded in the miscellaneous records in the recorder's office. An individual can shall have only one legal name at any one time.

Sec. 2. NEW SECTION. 598.37 NAME CHANGE.

Either party to a marriage may request as a part of the decree of dissolution or decree of annulment a change in the person's name to either the name appearing on the person's birth certificate or to the name the person had immediately prior to the marriage. If a party requests a name change other than to the name appearing on the person's birth certificate or to the name the person had immediately prior to the marriage, the request shall be made under chapter 674.

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DONALD D. AVENSON  
Speaker of the House

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JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2117, Seventy-second General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 2, 1988

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TERRY E. BRANSTAD  
Governor

HF 2117