

4-7-97 Referred to Local Gov.

MAR 13 1997

Place On Calendar

HOUSE FILE 614
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 214)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the issuance of marriage licenses by county
2 registrars and providing an effective date.

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

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HF 614

1 Section 1. Section 595.4, Code 1997, is amended to read as
2 follows:

3 595.4 AGE AND QUALIFICATION -- VERIFIED APPLICATION --
4 WAITING PERIOD -- EXCEPTION.

5 Previous Prior to the issuance of any license to marry, the
6 parties desiring the license shall sign and file a verified
7 application with the county registrar which application either
8 may be mailed to the parties at their request or may be signed
9 by them at the office of the county registrar in the county in
10 which the license is to be issued. The application shall set
11 forth at least one affidavit of some competent and
12 disinterested person stating the facts as to age and
13 qualification of the parties. Upon the filing of the
14 application for a license to marry, the county registrar shall
15 issue the license and file the application in a record kept
16 for that purpose. The license shall become valid the day
17 after issuance.

18 ~~After expiration of three days from the date of filing the~~
19 ~~application by the parties, the county registrar shall issue~~
20 ~~the license. If the license has not been issued within six~~
21 ~~months from the date of the application, the application is~~
22 ~~void.~~

23 ~~A license to marry may be issued prior to the expiration of~~
24 ~~three days from the date of filing the application for the~~
25 ~~license in cases of emergency or extraordinary circumstances.~~
26 ~~An order authorizing the issuance of a license may be granted~~
27 ~~by a judge of the district court under conditions of emergency~~
28 ~~or extraordinary circumstances upon application of the parties~~
29 ~~filed with the county registrar. No order may be granted~~
30 ~~unless the parties have filed an application for a marriage~~
31 ~~license in a county within the judicial district. An~~
32 ~~application for an order shall be made on forms furnished by~~
33 ~~the county registrar at the same time the application for the~~
34 ~~license to marry is made. After examining the application for~~
35 ~~the marriage license, the county registrar shall refer the~~

1 parties-to-a-judge-of-the-district-court-for-action-on-the
2 application-for-an-order-authorizing-the-issuance-of-a
3 marriage-license-prior-to-expiration-of-three-days-from-the
4 date-of-filing-the-application-for-the-license.--The-judge
5 shall-if-satisfied-as-to-the-existence-of-an-emergency-or
6 extraordinary-circumstances,-grant-an-order-authorizing-the
7 issuance-of-a-license-to-marry-prior-to-the-expiration-of
8 three-days-from-the-date-of-filing-the-application-for-the
9 license-to-marry.--The-county-registrar-shall-issue-a-license
10 to-marry-upon-presentation-by-the-parties-of-the-order
11 authorizing-a-license-to-be-issued.--A-fee-of-five-dollars
12 shall-be-paid-to-the-county-registrar-at-the-time-the
13 application-for-the-order-is-made,-which-fee-is-in-addition-to
14 the-fee-prescribed-by-law-for-the-issuance-of-a-marriage
15 license-

16 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
17 immediate importance, takes effect upon enactment.

18 EXPLANATION

19 This bill amends Code section 595.4 by removing all parts
20 of the section relating to the three-day waiting requirement
21 for the issuance of a marriage license. The bill also amends
22 Code section 595.4 by providing that a marriage license shall
23 be issued by the county registrar upon the filing of the
24 application. The license shall become valid the day after
25 issuance.

26 The bill takes effect upon enactment.

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Welter, Ch
Mundie
Weidman

HSB 214

LOCAL GOVERNMENT

SUCCESS
SE 10 6 14

HOUSE FILE
BY (PROPOSED COMMITTEE ON LOCAL
GOVERNMENT BILL BY CHAIR-
PERSON VANDE HOEF)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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9 by them at the office of the county registrar in the county in
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12 disinterested person stating the facts as to age and
13 qualification of the parties. Upon the filing of the
14 application for a license to marry, the county registrar shall
15 issue the license and file the application in a record kept
16 for that purpose. The license shall become valid the day
17 after issuance.

18 ~~After-expiration-of-three-days-from-the-date-of-filing-the~~
19 ~~application-by-the-parties, the-county-registrar-shall-issue~~
20 ~~the-license.--If-the-license-has-not-been-issued-within-six~~
21 ~~months-from-the-date-of-the-application, the-application-is~~
22 ~~void.~~

23 ~~A-license-to-marry-may-be-issued-prior-to-the-expiration-of~~
24 ~~three-days-from-the-date-of-filing-the-application-for-the~~
25 ~~license-in-cases-of-emergency-or-extraordinary-circumstances.~~
26 ~~An-order-authorizing-the-issuance-of-a-license-may-be-granted~~
27 ~~by-a-judge-of-the-district-court-under-conditions-of-emergency~~
28 ~~or-extraordinary-circumstances-upon-application-of-the-parties~~
29 ~~filed-with-the-county-registrar.--No-order-may-be-granted~~
30 ~~unless-the-parties-have-filed-an-application-for-a-marriage~~
31 ~~license-in-a-county-within-the-judicial-district.--An~~
32 ~~application-for-an-order-shall-be-made-on-forms-furnished-by~~
33 ~~the-county-registrar-at-the-same-time-the-application-for-the~~
34 ~~license-to-marry-is-made.--After-examining-the-application-for~~
35 ~~the-marriage-license, the-county-registrar-shall-refer-the~~

1 parties-to-a-judge-of-the-district-court-for-action-on-the
2 application-for-an-order-authorizing-the-issuance-of-a
3 marriage-license-prior-to-expiration-of-three-days-from-the
4 date-of-filing-the-application-for-the-license.---The-judge
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