

Substituted for HF 2503
3/24/98
(P. 871)

FILED MAR 2 1998

SENATE FILE 2367

BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 2183)

Passed Senate, Date 3/10/98 (P. 604) Passed House, Date 3/24/98 (P. 872)
Vote: Ayes 45 Nays 0 Vote: Ayes 95 Nays 1
Approved March 31, 1998

A BILL FOR

1 An Act relating to county vital statistics by providing for the
2 issuance of marriage licenses and eliminating the fee for
3 county birth registrations.

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

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S.F. 2367

1 Section 1. Section 331.605, subsection 5, paragraph b.
2 Code 1997, is amended by striking the paragraph.

3 Sec. 2. Section 331.605, subsection 6, Code 1997, is
4 amended to read as follows:

5 6. For filing an application for the license to marry,
6 thirty dollars. For issuing an application for an order of
7 the district court authorizing the issuance validation of a
8 license to marry before the expiration of three days from the
9 date of ~~filing-the-application-for~~ issuance of the license,
10 five dollars. The district court shall authorize the issuance
11 early validation of a marriage license without the payment of
12 any fees imposed in this subsection upon showing that the
13 applicant is unable to pay the fees.

14 Sec. 3. Section 595.4, unnumbered paragraphs 2 and 3, Code
15 Supplement 1997, are amended to read as follows:

16 ~~After-expiration-of-three-days-from-the-date-of-filing-the~~
17 ~~application-by-the-parties~~ Upon receipt of a verified
18 application, the county registrar ~~shall~~ may issue the license
19 which shall not become valid until the expiration of three
20 days after the date of issuance of the license. If the
21 license has not been issued within six months from the date of
22 the application, the application is void.

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

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

18 EXPLANATION

19 This bill strikes the county registration fee of \$4 for a
20 birth registration. Currently, births are registered with the
21 state at a fee of \$10 even though the county recorder or
22 registrar collects the fee for deposit in the state general
23 fund.

24 The bill also permits the county recorder to issue a
25 marriage license upon receipt of a verified application, but
26 the license will not be valid until after the expiration of
27 three days from the date of issuance of the license.

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Redwine
Bottger
Dearborn

SSB 2183
Local Government

Succeeded By
SENATE FILE (SF) HF 2367
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL
BY CHAIRPERSON ZIEMAN)

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

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SENATE FILE 2367

AN ACT

RELATING TO COUNTY VITAL STATISTICS BY PROVIDING FOR THE
ISSUANCE OF MARRIAGE LICENSES AND ELIMINATING THE FEE
FOR COUNTY BIRTH REGISTRATIONS.

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

Section 1. Section 331.605, subsection 5, paragraph b,
Code 1997, is amended by striking the paragraph.

Sec. 2. Section 331.605, subsection 6, Code 1997, is
amended to read as follows:

6. For filing an application for the license to marry,
thirty dollars. For issuing an application for an order of
the district court authorizing the issuance validation of a
license to marry before the expiration of three days from the
date of ~~filing-the-application-for~~ issuance of the license,
five dollars. The district court shall authorize the issuance
early validation of a marriage license without the payment of
any fees imposed in this subsection upon showing that the
applicant is unable to pay the fees.

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application, the county registrar ~~shall~~ may issue the license
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days after the date of issuance of the license. If the
license has not been issued within six months from the date of
the application, the application is void.

A license to marry may be issued validated prior to the
expiration of three days from the date of ~~filing-the~~
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registrar shall refer the parties to a judge of the district
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the issuance validation of a marriage license prior to
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satisfied as to the existence of an emergency or extraordinary
circumstances, grant an order authorizing the issuance
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three days from the date of ~~filing-the-application-for~~
~~issuance of~~ the license to marry. The county registrar shall
issue validate a license to marry upon presentation by the
parties of the order authorizing a license to be issued

validated. A fee of five dollars shall be paid to the county registrar at the time the application for the order is made, which fee is in addition to the fee prescribed by law for the issuance of a marriage license.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2367, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved March 31, 1998

TERRY E. BRANSTAD
Governor