

# Senate Study Bill 2183

## Bill Text

PAG LIN

1 1 Section 1. Section [331.605](#), subsection 5, paragraph b,  
1 2 Code 1997, is amended by striking the paragraph.  
1 3 Sec. 2. Section [331.605](#), subsection 6, Code 1997, is  
1 4 amended to read as follows:  
1 5 6. For filing an application for the license to marry,  
1 6 thirty dollars. For issuing an application for an order of  
1 7 the district court authorizing the

~~issuance~~

- ~~validation~~ of a

1 8 license to marry before the expiration of three days from the  
1 9 date of

~~filing the application for~~

- ~~issuance~~ of the license,

1 10 five dollars. The district court shall authorize the

~~issuance~~

-  
1 11 early validation of a marriage license without the payment of  
1 12 any fees imposed in this subsection upon showing that the  
1 13 applicant is unable to pay the fees.

1 14 Sec. 3. Section [595.4](#), unnumbered paragraphs 2 and 3, Code  
1 15 Supplement 1997, are amended to read as follows:  
1 16

~~After expiration of three days from the date of filing the~~

-

1 17

~~application by the parties~~

- Upon receipt of a verified

1 18 application, the county registrar

~~shall~~

- may issue the license

1 19 which shall not become valid until the expiration of three  
1 20 days after the date of issuance of the license. If the  
1 21 license has not been issued within six months from the date of  
1 22 the application, the application is void.

1 23 A license to marry may be

~~issued~~

- validated prior to the

1 24 expiration of three days from the date of

~~filing the~~

-

1 25

~~application for~~

- issuance of the license in cases of emergency

1 26 or extraordinary circumstances. An order authorizing the

1 27

~~issuance~~

~~- validation~~ of a license may be granted by a judge of  
1 28 the district court under conditions of emergency or  
1 29 extraordinary circumstances upon application of the parties  
1 30 filed with the county registrar. No order may be granted  
1 31 unless the parties have filed an application for a marriage  
1 32 license in a county within the judicial district. An  
1 33 application for an order shall be made on forms furnished by  
1 34 the county registrar at the same time the application for the  
1 35 license to marry is made. After examining the application for  
2 1 the marriage license and issuing the license, the county  
2 2 registrar shall refer the parties to a judge of the district  
2 3 court for action on the application for an order authorizing  
2 4 the

~~- issuance~~  
- validation of a marriage license prior to  
2 5 expiration of three days from the date of

~~- filing the~~

-  
2 6

~~- application for~~  
- issuance of the license. The judge shall, if  
2 7 satisfied as to the existence of an emergency or extraordinary  
2 8 circumstances, grant an order authorizing the

~~- issuance~~  
-  
2 9 validation of a license to marry prior to the expiration of  
2 10 three days from the date of

~~- filing the application for~~

-  
2 11 issuance of the license to marry. The county registrar shall  
2 12

~~- issue~~  
- validate a license to marry upon presentation by the  
2 13 parties of the order authorizing a license to be

~~- issued~~  
-  
2 14 validated. A fee of five dollars shall be paid to the county  
2 15 registrar at the time the application for the order is made,  
2 16 which fee is in addition to the fee prescribed by law for the  
2 17 issuance of a marriage license.

2 18 EXPLANATION

2 19 This bill strikes the county registration fee of \$4 for a  
2 20 birth registration. Currently, births are registered with the  
2 21 state at a fee of \$10 even though the county recorder or  
2 22 registrar collects the fee for deposit in the state general  
2 23 fund.

2 24 The bill also permits the county recorder to issue a  
2 25 marriage license upon receipt of a verified application, but  
2 26 the license will not be valid until after the expiration of  
2 27 three days from the date of issuance of the license.

2 28 LSB 3698SC 77

2 29 tj/jw/5