

S- 3/25/99 Judiciary
S- 3/31/99 Amend/Do Pass w/ 53209

MAR 17 1999

Place On Calendar

714

HOUSE FILE
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 99)

Passed House, Date ^(p. 859) 3/25/99
Vote: Ayes 95 Nays 0

Passed Senate, Date ^(p. 1327) 4-27-99
Vote: Ayes 47 Nays 0

Approved May 19, 1999

^(p. 1789) Passed 4-28-99
Vote 98-0

A BILL FOR

1 An Act relating to alternative forms of identification to be
2 attached to a petition in an action for seeking a name change.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 714

1 Section 1. Section 674.2, subsection 7, Code 1999, is
2 amended to read as follows:

3 7. A certified copy of the birth certificate to be
4 attached to the petition. If a certified copy of the birth
5 certificate is not available, the reason for the
6 unavailability shall be stated and another form of
7 identification, which may include documents provided by the
8 United States department of immigration and naturalization
9 service, shall be attached in lieu of the certified copy of
10 the birth certificate.

11 EXPLANATION

12 The bill allows a person seeking a name change to attach to
13 the petition submitted to the court documents in lieu of a
14 certified copy of the birth certificate. If the certified
15 copy is not available, the petitioner is required to state the
16 reason for the unavailability in the petition and is to
17 provide an alternative form of identification which may be a
18 document provided by the United States immigration and
19 naturalization service.

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HOUSE FILE 714

S-3201

1 Amend House File 714, 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 1999, is amended
6 to read as follows:

7 595.5 SURNAME NAME ADOPTED.

8 1. A party may request indicate on the application
9 for a marriage license the adoption of a name change
10 to 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
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. Upon approval
23 of the court and solemnization of the marriage, the

24 2. The county registrar shall send a certified
25 copy of the return of marriage to the recorder's
26 office in every county in this state where real
27 property is owned by either of the parties. The judge
28 may approve the name change. The new names and the
29 immediate former names shall appear on the return of
30 marriage, and the return of marriage shall be recorded
31 in the miscellaneous records in the recorder's office.

32 3. An individual shall have only one legal name at
33 any one time."

34 2. Title page, lines 1 and 2, by striking the
35 words "alternative forms of identification to be
36 attached to a petition in an action for seeking a".

37 3. Title page, line 2, by striking the word
38 "change" and inserting the following: "changes".

39 4. By renumbering as necessary.

By ANDY MCKEAN

O/O 4-27-99

S-3201 FILED MARCH 30, 1999

HOUSE FILE 714

S-3278

1 Amend the amendment, S-3209, to House File 714, as
2 passed by the House, as follows:

3 1. Page 1, line 27, by inserting after the word
4 "parties" the following: ", upon request of the
5 parties".

By DAVID MILLER

Adopted 4/27/99 (p. 1327)

S-3278 FILED APRIL 6, 1999

S-3209

1 Amend House File 714, 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 1999, is amended
6 to read as follows:

7 595.5 SURNAME NAME ADOPTED.

8 1. A party may request indicate on the application
9 for a marriage license the adoption of a name change
10 ~~to 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~~
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. Upon approval~~
23 ~~of the court and solemnization of the marriage, the~~

24 2. The county registrar shall send a certified
25 copy of the return of marriage to the recorder's
26 office in every county in this state where real
27 property is owned by either of the parties. ~~The judge~~
28 ~~may approve the name change.~~ The new names and the
29 immediate former names shall appear on the return of
30 marriage, and the return of marriage shall be recorded
31 in the miscellaneous records in the recorder's office.

32 3. An individual shall have only one legal name at
33 any one time."

34 2. Title page, lines 1 and 2, by striking the
35 words "alternative forms of identification to be
36 attached to a petition in an action for seeking a".

37 3. Title page, line 2, by striking the word
38 "change" and inserting the following: "changes".

39 4. By renumbering as necessary.

By COMMITTEE ON JUDICIARY
ANDY MCKEAN, Chairperson

S-3209 FILED MARCH 31, 1999

(p. 1327)
Adopted
4-27-99

SENATE AMENDMENT TO HOUSE FILE 714

H-1854

- 1 Amend House File 714, 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 1999, is amended
- 6 to read as follows:
- 7 595.5 SURNAME NAME ADOPTED.
- 8 1. A party may request indicate on the application
- 9 for a marriage license the adoption of a name change
- 10 ~~to 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~~
- 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. Upon approval~~
- 23 ~~of the court and solemnization of the marriage, the~~
- 24 2. The county registrar shall send a certified
- 25 copy of the return of marriage to the recorder's
- 26 office in every county in this state where real
- 27 property is owned by either of the parties, upon
- 28 request of the parties. ~~The judge may approve the~~
- 29 ~~name change.~~ The new names and the immediate former
- 30 names shall appear on the return of marriage, and the
- 31 return of marriage shall be recorded in the
- 32 miscellaneous records in the recorder's office.
- 33 3. An individual shall have only one legal name at
- 34 any one time."
- 35 2. Title page, lines 1 and 2, by striking the
- 36 words "alternative forms of identification to be
- 37 attached to a petition in an action for seeking a".
- 38 3. Title page, line 2, by striking the word
- 39 "change" and inserting the following: "changes".
- 40 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-1854 FILED APRIL 27, 1999

4/28/99

House Concurred

(p. 1789)

AN ACT

RELATING TO NAME CHANGES.

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

Section 1. Section 595.5, Code 1999, is amended to read as follows:

595.5 SURNAME NAME ADOPTED.

1. A party may request indicate on the application for a marriage license the adoption of 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 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 674.2. Upon approval of the court and solemnization of the marriage, the~~

2. The county registrar 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, upon request 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.

3. An individual shall have only one legal name at any one time.

Sec. 2. Section 674.2, subsection 7, Code 1999, is amended to read as follows:

7. A certified copy of the birth certificate to be attached to the petition. If a certified copy of the birth certificate is not available, the reason for the unavailability shall be stated and another form of identification, which may include documents provided by the United States department of immigration and naturalization service, shall be attached in lieu of the certified copy of the birth certificate.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 714, Seventy-eighth General Assembly.

Approved May 19, 1999

ELIZABETH ISAACSON
Chief Clerk of the House

THOMAS J. VILSACK
Governor