

Senate File 15

SENATE FILE _____
BY BEALL

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

A BILL FOR

1 An Act specifying those authorized to solemnize marriages in this
2 state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1190XS 83
5 pf/rj/5

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1 1 Section 1. Section 595.10, subsection 1, Code 2009, is
1 2 amended to read as follows:
1 3 1. A judge of the supreme court, court of appeals, or
1 4 district court, including a district associate judge,
1 5 associate juvenile judge, or a judicial magistrate, and
1 6 including a senior judge ~~or a retired senior judge~~ as defined
1 7 in section 602.9202, ~~subsection 3.~~

1 8 Sec. 2. Section 595.12, Code 2009, is amended to read as
1 9 follows:

1 10 595.12 FEE AND EXPENSES.

1 11 1. A judge or magistrate authorized to solemnize a
1 12 marriage under section 595.10, subsection 1, may charge a
1 13 reasonable fee for officiating and making return for each
1 14 marriage solemnized at a time other than regular judicial
1 15 working hours. In addition the judge or magistrate may charge
1 16 the parties to the marriage for expenses incurred in
1 17 solemnizing the marriage. ~~No~~ A judge or magistrate shall ~~make~~
~~1 18 any not~~ charge for solemnizing a marriage during regular
1 19 judicial working hours. The supreme court shall adopt rules
1 20 prescribing the maximum fee and expenses that the judge or
1 21 magistrate may charge.

1 22 2. ~~A minister~~ An individual authorized to solemnize a
1 23 marriage under section 595.10, subsection 2, may charge a
1 24 reasonable fee for each marriage solemnization and making
1 25 return in an amount agreed to by the parties.

1 26 Sec. 3. Section 595.13, Code 2009, is amended to read as
1 27 follows:

1 28 595.13 CERTIFICATE == RETURN.

1 29 After the marriage has been solemnized, the officiating
1 30 ~~minister or magistrate~~ individual authorized to solemnize a
~~1 31 marriage under section 595.10~~ shall attest to the marriage on
1 32 the blank provided for that purpose and return the certificate
1 33 of marriage within fifteen days to the county registrar who
1 34 issued the marriage license.

1 35 Sec. 4. Section 595.16, Code 2009, is amended to read as
2 1 follows:

2 2 595.16 SPOUSE RESPONSIBLE FOR RETURN.

2 3 When a marriage is consummated without the services of a
~~2 4 cleric or magistrate~~ an individual authorized to solemnize a
~~2 5 marriage under section 595.10,~~ the required return of the
2 6 marriage may be made to the county registrar by either spouse.

2 7 EXPLANATION

2 8 This bill authorizes retired senior judges to solemnize
2 9 marriages in this state. The bill also makes corrective
2 10 changes in provisions of Code chapter 595 (marriage) relating
2 11 to those who currently are authorized to solemnize marriages.

2 12 LSB 1190XS 83

2 13 pf/rj/5