

**CHAPTER 1020****COUNTIES — ISSUANCE OF MARRIAGE LICENSES, BIRTH REGISTRATION FEES***S.F. 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.

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

~~After expiration of three days from the date of filing the application by the parties~~ Upon receipt of a verified application, the county registrar shall ~~may~~ issue the license ~~which shall not become valid until the expiration of three 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 application for issuance of~~ the license in cases of emergency or extraordinary circumstances. An order authorizing the ~~issuance~~ validation of a license may be granted by a judge of the district court under conditions of emergency or extraordinary circumstances upon application of the parties filed with the county registrar. No order may be granted unless the parties have filed an application for a marriage license in a county within the judicial district. An application for an order shall be made on forms furnished by the county registrar at the same time the application for the license to marry is made. After examining the application for the marriage license ~~and issuing the license~~, the county registrar shall refer the parties to a judge of the district court for action on the application for an order authorizing the ~~issuance~~ validation of a marriage license prior to expiration of three days from the date of ~~filing the application for issuance of~~ the license. The judge shall, if satisfied as to the existence of an emergency or extraordinary circumstances, grant an order authorizing the ~~issuance~~ validation of a license to marry prior to the expiration of 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.

Approved March 31, 1998