

of any jurisdiction other than this state, the effect of the merger shall be the same as provided in section 487.1205, except insofar as the law of the other jurisdiction provides otherwise.

Approved April 15, 1998

CHAPTER 1099

VALIDITY OF CERTAIN MARRIAGES

H.F. 382

AN ACT relating to certain relationships including certain marriages.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 595.2, Code 1997, is amended to read as follows:

595.2 AGE — GENDER.

1. ~~A Only a marriage between a male and a female each eighteen years of age or older is valid.~~

2. ~~A Additionally, a marriage between a male and a female is valid only if each is eighteen years of age or older. However, if either or both of whom the parties have not attained that age, the marriage may be valid under the circumstances prescribed in this section.~~

3. ~~If either party to a marriage falsely represents the party's self to be eighteen years of age or older at or before the time the marriage is solemnized, the marriage is valid unless the person who falsely represented their age chooses to void the marriage by making their true age known and verified by a birth certificate or other legal evidence of age in an annulment proceeding initiated at any time before the person reaches their eighteenth birthday. A child born of a marriage voided under this subsection is legitimate.~~

4. ~~A marriage license may be issued to a male and a female either or both of whom are sixteen or seventeen years of age if:~~

a. ~~The parents of the underaged party or parties certify in writing that they consent to the marriage. If one of the parents of any underaged party to a proposed marriage is dead or incompetent the certificate may be executed by the other parent, if both parents are dead or incompetent the guardian of the underaged party may execute the certificate, and if the parents are divorced the parent having legal custody may execute the certificate and~~

b. ~~The certificate of consent of the parents, parent, or guardian is approved by a judge of the district court or, if both parents of any underaged party to a proposed marriage are dead, incompetent, or cannot be located and the party has no guardian, the proposed marriage is approved by a judge of the district court. A judge shall grant approval under this subsection only if the judge finds the underaged party or parties capable of assuming the responsibilities of marriage and that the marriage will serve the best interest of the underaged party or parties. Pregnancy alone does not establish that the proposed marriage is in the best interest of the underaged party or parties, however, if pregnancy is involved the court records which pertain to the fact that the female is pregnant shall be sealed and available only to the parties to the marriage or proposed marriage or to any interested party securing an order of the court.~~

c. ~~If a parent or guardian withholds consent, the judge upon application of a party to a proposed marriage shall determine if the consent has been unreasonably withheld. If the judge so finds, the judge shall proceed to review the application under paragraph "b" of this subsection.~~

Sec. 2. Section 595.3, subsection 2, Code 1997, is amended to read as follows:

2. Where either party is under eighteen years of age, unless the marriage is approved by a judge of the district court as provided by section 595.2, ~~subsection 2.~~

Sec. 3. NEW SECTION. 595.20 FOREIGN MARRIAGES — VALIDITY.

A marriage which is solemnized in any other state, territory, country, or any foreign jurisdiction which is valid in that state, territory, country, or other foreign jurisdiction, is valid in this state if the parties meet the requirements for validity pursuant to section 595.2, subsection 1, and if the marriage would not otherwise be declared void.

Sec. 4. TASK FORCE — DOMESTIC PARTNERS. The legislative council is requested to establish an interim task force to review the issues faced by domestic partners including but not limited to property rights, access to courts, parentage, inheritance, hospital or health care facility visitation, health decisions, contract rights, workplace benefits, insurance coverage, and retirement benefits. The task force shall include representatives of the legal profession, the courts, insurance, business and industry, labor, consumers who are domestic partners, and others with interest or expertise in this area. The task force shall submit a report of recommendations concerning these issues and recommendations for any necessary legislation to the general assembly by January 1, 1999.

Approved April 15, 1998

CHAPTER 1100

NONSUBSTANTIVE CODE CORRECTIONS

H.F. 2162

AN ACT relating to nonsubstantive Code corrections and including a retroactive applicability provision.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 15.353, subsection 5, paragraph b, Code Supplement 1997, is amended to read as follows:

b. "Local housing group" means an entity organized to represent community housing development ~~interest~~ interests.

Sec. 2. Section 15E.182, subsection 1, paragraph b, Code Supplement 1997, is amended to read as follows:

b. The director of the department of economic development.

Sec. 3. Section 15E.182, subsection 3, paragraph e, Code Supplement 1997, is amended to read as follows:

e. Conduct an annual risk analysis which matches the current and anticipated value of investments made pursuant to this division with the current and anticipated value of any tax credits given. If the anticipated value of any tax credits given exceeds the anticipated value of investments, the department of economic development shall establish a reserve account within the strategic investment fund sufficient to cover such losses to the general fund of the state in the event of the termination of the Iowa capital investment board.

Sec. 4. Section 15E.183, subsection 2, Code Supplement 1997, is amended to read as follows: