

4/10/01 Rereferred To: Human Res.

MAR 22 2001

HOUSE FILE 690

BY COMMITTEE ON HUMAN RESOURCES

Place On Calendar

(SUCCESSOR TO HF 604)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to premarital education.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 690

1 Section 1. Section 331.605, subsection 6, Code 2001, is  
2 amended to read as follows:

3 6. a. (1) For Except as provided in subparagraph (2),  
4 for filing an application for the license to marry, thirty-  
5 five dollars, which includes payment for one certified copy of  
6 the original certificate of marriage, to be issued following  
7 filing of the original certificate of marriage, four dollars  
8 of which shall be retained by the county pursuant to  
9 subsection 5.

10 (2) For filing an application for the license to marry,  
11 four dollars, if the applicants submit and the county  
12 registrar approves the certificate of completion of premarital  
13 education pursuant to section 595.3B. The fee includes  
14 payment for one certified copy of the original certificate of  
15 marriage, to be issued following filing of the original  
16 certificate of marriage, which fee shall be retained by the  
17 county pursuant to subsection 5.

18 b. For issuing an application for an order of the district  
19 court authorizing the validation of a license to marry before  
20 the expiration of three days from the date of issuance of the  
21 license, five dollars. The district court shall authorize the  
22 early validation of a marriage license without the payment of  
23 any fees imposed in this subsection upon showing that the  
24 applicant is unable to pay the fees.

25 Sec. 2. NEW SECTION. 595.3B APPLICATION -- PREMARITAL  
26 EDUCATION.

27 1. An application form for a marriage license shall have  
28 attached a certificate form to be used by the parties to  
29 document completion of premarital education by the parties.  
30 The certificate shall be completed by the parties and signed  
31 by the person who provided the premarital education. The  
32 certificate shall require provision of all of the following  
33 information:

34 a. The name of the person providing the premarital  
35 education and the person's signature verifying completion of

1 the premarital education by the parties.

2 b. The number of hours of premarital education completed.

3 c. Whether the premarital education was provided by  
4 personal instruction, videotaped instruction, instruction via  
5 other electronic media, or a combination of these methods.

6 2. Only premarital education provided by the following  
7 persons meet the requirements of provision of premarital  
8 education under this section:

9 a. A person ordained or designated as a leader of a  
10 party's religious faith.

11 b. A person licensed to practice psychology pursuant to  
12 chapter 154B.

13 c. A person licensed to practice social work pursuant to  
14 chapter 154C.

15 d. A person licensed to practice marital and family  
16 therapy pursuant to chapter 154D.

17 3. If the parties applying for a license to marry complete  
18 the premarital education certificate and the certificate is  
19 approved, the parties shall pay a fee of only four dollars  
20 pursuant to section 331.605, subsection 6.

21 EXPLANATION

22 This bill establishes requirements for premarital  
23 education, which if completed and documented in a certificate  
24 attached to a marriage license application allow the parties  
25 applying for the marriage license to pay only a \$4 fee rather  
26 than a \$35 fee for the filing of the marriage license  
27 application. The bill specifies the persons who may provide  
28 the premarital education in order to meet the requirements of  
29 the bill and specifies the other information which must be  
30 provided by the applicants in order to pay the reduced  
31 marriage license application fee.

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**HOUSE FILE 690  
FISCAL NOTE**

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A fiscal note for **House File 690** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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House File 690 establishes requirements for premarital education and specifies that if the proper requirements are met, parties applying for a marriage license will pay a \$4 dollar filing fee rather than the usual \$35 dollar fee.

**ASSUMPTIONS**

1. The number of marriage licenses filed will remain constant from year to year. In calendar year 1999, approximately 23,000 licenses were filed.
2. The current fee to file a marriage license is \$35. Of the \$35 collected, the county recorders receive \$4 and the remaining \$31 is deposited into the General Fund.
3. The proposed legislation allows parties applying for a marriage license to receive a \$31 discount if they fulfill all the requirements of completing premarital education. For each applicant who receives the discount, the General Fund revenues will decrease by \$31.
4. The number of applicants that will choose to seek premarital education and pay the discounted filing fee of \$4 cannot be determined. However, General Fund revenues will decrease by approximately \$71,000 for each 10.0% of the population that seeks premarital education and receives the discounted filing fee.

**FISCAL IMPACT**

The General Fund impact of House File 690 cannot be determined due to insufficient information to determine the number of applicants who would seek premarital education. It is estimated that for each 10.0% of the population who would seek premarital education, the decrease in General Fund revenues would be approximately \$71,000 annually.

**SOURCE**

Iowa Department of Public Health

(LSB 2312hv, RIT)

FILED MARCH 26, 2001

BY DENNIS PROUTY, FISCAL DIRECTOR

## HOUSE FILE 690

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1 Amend House File 690 as follows:

2 1. Page 1, by striking lines 1 through 24.

3 2. Page 2, line 10, by inserting after the word  
4 "faith" the following: ", or the person's designee".

5 3. Page 2, by inserting before line 17, the  
6 following:

7 "\_\_\_\_. At a minimum, premarital education provided  
8 under this section shall include discussion of  
9 children, finances, communication techniques, conflict  
10 resolution, and expectations of responsibilities."

11 4. Page 2, by striking lines 17 through 20 and  
12 inserting the following:

13 "Sec. \_\_\_\_ . Section 595.4, Code 2001, is amended to  
14 read as follows:

15 595.4 AGE AND QUALIFICATION -- VERIFIED  
16 APPLICATION -- WAITING PERIOD -- EXCEPTION.

17 1. Previous to the issuance of any license to  
18 marry, the parties desiring the license shall sign and  
19 file a verified application with the county registrar  
20 which application either may be mailed to the parties  
21 at their request or may be signed by them at the  
22 office of the county registrar in the county in which  
23 the license is to be issued. The application shall  
24 include the social security number of each applicant  
25 and shall set forth at least one affidavit of some  
26 competent and disinterested person stating the facts  
27 as to age and qualification of the parties. Upon the  
28 filing of the application for a license to marry, the  
29 county registrar shall file the application in a  
30 record kept for that purpose and shall take all  
31 necessary steps to ensure the confidentiality of the  
32 social security number of each applicant. All  
33 information included on an application may be provided  
34 as mutually agreed upon by the division of records and  
35 statistics and the child support recovery unit,  
36 including by automated exchange.

37 2. Upon receipt of a verified application, the  
38 county registrar may issue the license ~~which shall not~~  
39 ~~become valid until the expiration of three days after~~  
40 ~~the date of issuance of the license.~~ If the license  
41 has not been issued within six months from the date of  
42 the application, the application is void.

43 3. A license that is issued under subsection 2,  
44 shall become valid as follows:

45 a. If the parties desiring the license have  
46 participated in premarital education and have  
47 documented completion of premarital education in  
48 accordance with section 595.3B, the license shall  
49 become valid upon the date of issuance of the license.

50 b. If the parties desiring the license have not

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Page 2

1 participated in premarital education and have not  
2 documented completion of premarital education in  
3 accordance with section 595.3B, the license shall not  
4 become valid until the expiration of thirty days after  
5 the date of issuance of the license.

6 4. A license to marry may be validated prior to  
7 the expiration of ~~three~~ thirty days from the date of  
8 issuance of the license in cases of emergency or  
9 extraordinary circumstances. An order authorizing the  
10 validation of a license may be granted by a judge of  
11 the district court under conditions of emergency or  
12 extraordinary circumstances upon application of the  
13 parties filed with the county registrar. No order may  
14 be granted unless the parties have filed an  
15 application for a marriage license in a county within  
16 the judicial district. An application for an order  
17 shall be made on forms furnished by the county  
18 registrar at the same time the application for the  
19 license to marry is made. After examining the  
20 application for the marriage license and issuing the  
21 license, the county registrar shall refer the parties  
22 to a judge of the district court for action on the  
23 application for an order authorizing the validation of  
24 a marriage license prior to expiration of ~~three~~ thirty  
25 days from the date of issuance of the license. The  
26 judge shall, if satisfied as to the existence of an  
27 emergency or extraordinary circumstances, grant an  
28 order authorizing the validation of a license to marry  
29 prior to the expiration of ~~three~~ thirty days from the  
30 date of issuance of the license to marry. The county  
31 registrar shall validate a license to marry upon  
32 presentation by the parties of the order authorizing a  
33 license to be validated. A fee of five dollars shall  
34 be paid to the county registrar at the time the  
35 application for the order is made, which fee is in  
36 addition to the fee prescribed by law for the issuance  
37 of a marriage license.

38 Sec. \_\_\_\_ . EFFECTIVE DATE. This Act takes effect  
39 January 1, 2002."

40 5. Title page, line 1, by inserting after the  
41 word "education" the following: "and providing an  
42 effective date".

By WARNSTADT of Woodbury  
BODDICKER of Cedar

REYNOLDS of Van Buren  
KREIMAN of Davis

**H-1428** FILED APRIL 3, 2001