

The House Committee on Judiciary offers the following substitute to HB 1451:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 15-9-60 of the Official Code of Georgia Annotated, relating to
2 probate court costs, and Chapter 3 of Title 19 of the Official Code of Georgia Annotated,
3 relating to marriage generally, so as to provide for premarital counseling; to provide for
4 financial incentive to invest in premarital counseling; to change provisions relating to the
5 contents of the application for a marriage license; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

9 Code Section 15-9-60 of the Official Code of Georgia Annotated, relating to probate court
10 costs, is amended by striking paragraph (14) of subsection (k) and inserting new paragraphs
11 (14) and (14.1) to read as follows:

12	"(14) Application for marriage license <u>if the applicants have completed</u>	
13	<u>premarital counseling pursuant to Code Section 19-3-30.1</u>	10.00
14	<u>(14.1) Application for a marriage license if the applicants have not</u>	
15	<u>completed marriage counseling pursuant to Code Section 19-3-30.1</u>	<u>50.00"</u>

16 SECTION 2.

17 Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage
18 generally, is amended by adding a new Code section to read as follows:

19 "19-3-30.1.

20 In applying for a marriage license, a man and woman who certify on the application for a
21 marriage license that they have successfully completed a qualifying marriage preparation
22 program shall be charged the fee set forth in paragraph (14) of subsection (k) of Code
23 Section 15-9-60. In order to qualify for this fee schedule, the couple shall have completed
24 instruction involving marital issues, which may include but not be limited to conflict
25 management, communication skills, financial responsibilities, child and parenting

1 responsibilities, and extended family roles. The counseling shall be completed within 12
2 months prior to the application for a marriage license. The couple may undergo the
3 counseling together or separately. If the counseling is completed together it shall include
4 at least four hours of instruction and, if done separately, each person shall have completed
5 at least two hours of instruction. The premarital counseling shall be performed by:

- 6 (1) A professional counselor, social worker, or marriage and family therapist who is
7 licensed pursuant to Chapter 10A of Title 43;
- 8 (2) A physician who is licensed pursuant to Chapter 34 of Title 43;
- 9 (3) A psychologist who is licensed pursuant to Chapter 39 of Title 43; or
- 10 (4) An active member of the clergy when in the course of his or her service as clergy."

11 **SECTION 3.**

12 Said title is further amended by striking subsection (a) of Code Section 19-3-33, relating to
13 the application for the marriage license and its contents, and inserting in lieu thereof the
14 following:

15 "(a) A marriage license shall be issued on written application therefor, made by the persons
16 seeking the license, verified by oath of the applicants. The application shall state that there
17 is no legal impediment to the marriage and shall give the full present name of the proposed
18 husband and the full present name of the proposed wife with their dates of birth, their
19 present addresses, and the names of the father and mother of each, if known. If the names
20 of the father or mother of either are unknown, the application shall so state. The
21 application shall state that the persons seeking the license have or have not completed
22 premarital counseling pursuant to Code Section 19-3-30.1."

23 **SECTION 4.**

24 All laws and parts of laws in conflict with this Act are repealed.