House Bill 1451 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Bordeaux of the 125th, Stephens of the 123rd, Stokes of the 72nd, and Fleming of the 79th

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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 if the applicants have completed

13   premarital counseling pursuant to Code Section 19-3-30.1 . . . .   10.00

14   (14.1) Application for a marriage license if the applicants have not

15   completed marriage counseling pursuant to Code Section 19-3-30.1 . . . .   50.00"

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 only one
16   man and one woman seeking the license, verified by oath of the applicants. The
17   application shall state that there is no legal impediment to the marriage and shall give the
18   full present name of the proposed husband and the full present name of the proposed wife
19   with their dates of birth, their present addresses, and the names of the father and mother of
20   each, if known. If the names of the father or mother of either are unknown, the application
21   shall so state. The application shall state that the persons seeking the license have or have
22   not completed premarital counseling pursuant to Code Section 19-3-30.1. If the application
23   states that the persons seeking the license have completed such premarital counseling, the
24   application shall include the name of the person who provided such counseling."

25   **SECTION 4.**
26   All laws and parts of laws in conflict with this Act are repealed.