

The Senate Judiciary Committee offered 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 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 shall undergo the  
 3 counseling together and the counseling shall include at least four hours of instruction. The  
 4 premarital counseling shall be performed by:

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

### 12 SECTION 3.

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

16 "(a) A marriage license shall be issued on written application therefor, made by only one  
 17 man and one woman seeking the license, verified by oath of the applicants. The  
 18 application shall state that there is no legal impediment to the marriage and shall give the  
 19 full present name of the proposed husband and the full present name of the proposed wife  
 20 with their dates of birth, their present addresses, and the names of the father and mother of  
 21 each, if known. If the names of the father or mother of either are unknown, the application  
 22 shall so state. The application shall state that the persons seeking the license have or have  
 23 not completed premarital counseling pursuant to Code Section 19-3-30.1. If the application  
 24 states that the persons seeking the license have completed such premarital counseling, the  
 25 applicants must submit a signed and dated statement from the person who provided the  
 26 premarital counseling confirming that it was received."

### 27 SECTION 4.

28 All laws and parts of laws in conflict with this Act are repealed.