

House Bill 378 (COMMITTEE SUBSTITUTE)

By: Representatives Fleming of the 117th, May of the 111th, Loudermilk of the 14th, Hatfield of the 177th, and Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

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

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Article 3 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to
11 probate court costs and compensation, is amended by striking paragraph (14) of subsection
12 (k) of Code Section 15-9-60, relating to costs, and inserting new paragraphs (14) and (14.1)
13 to read as follows:

| | | |
|----|---|--------------------------------|
| 14 | "(14) Application for marriage license <u>if the applicants have</u> | |
| 15 | <u>completed premarital education pursuant to Code Section</u> | |
| 16 | <u>19-3-30.1</u> | 10.00 <u>No fee</u> |
| 17 | <u>(14.1) Application for a marriage license if the applicants have</u> | |
| 18 | <u>not completed premarital education pursuant to Code Section</u> | |
| 19 | <u>19-3-30.1</u> | <u>35.00"</u> |

20 SECTION 2.

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

23 "19-3-30.1.

24 (a) In applying for a marriage license, a man and woman who certify on the application
25 for a marriage license that they have successfully completed a qualifying premarital

1 education program shall not be charged a fee for a marriage license. The premarital
 2 education shall include at least six hours of instruction involving marital issues, which may
 3 include but not be limited to conflict management, communication skills, financial
 4 responsibilities, child and parenting responsibilities, and extended family roles. The
 5 premarital education shall be completed within 12 months prior to the application for a
 6 marriage license and the couple shall undergo the premarital education together. The
 7 premarital education shall be performed by:

8 (1) A professional counselor, social worker, or marriage and family therapist who is
 9 licensed pursuant to Chapter 10A of Title 43;

10 (2) A psychiatrist who is licensed as a physician pursuant to Chapter 34 of Title 43;

11 (3) A psychologist who is licensed pursuant to Chapter 39 of Title 43; or

12 (4) An active member of the clergy when in the course of his or her service as clergy or
 13 his or her designee, including retired clergy, provided that a designee is trained and
 14 skilled in premarital education.

15 (b) Each premarital education provider shall furnish each participant who completes the
 16 premarital education required by this Code section a certificate of completion."

17 SECTION 3.

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

21 "(a) A marriage license shall be issued on written application therefor, made by the persons
 22 seeking the license, verified by oath of the applicants. The application shall state that there
 23 is no legal impediment to the marriage and shall give the full present name of the proposed
 24 husband and the full present name of the proposed wife with their dates of birth, their
 25 present addresses, and the names of the father and mother of each, if known. If the names
 26 of the father or mother of either are unknown, the application shall so state. The application
 27 shall state that the persons seeking the license have or have not completed premarital
 28 education pursuant to Code Section 19-3-30.1. If the application states that the applicants
 29 seeking issuance of the license have completed premarital education, then the applicants
 30 shall submit a signed and dated certificate of completion issued by the premarital education
 31 provider."

32 SECTION 4.

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