

SENATE BILL No. 37

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-11-4-4.

Synopsis: Applications for marriage licenses. Allows for an application for a marriage license to be gender specific or gender neutral.

Effective: July 1, 2016.

Tomes

January 5, 2016, read first time and referred to Committee on Public Policy.



Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 37

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 31-11-4-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) An application
3 for a marriage license must be written and verified. The application
4 must contain the following information concerning each of the
5 applicants:
6 (1) Full name.
7 (2) Birthplace.
8 (3) Residence.
9 (4) Age.
10 (5) Names of dependent children.
11 (6) Full name, including the maiden name of a mother, last known
12 residence, and, if known, the place of birth of:
13 (A) the birth parents of the applicant if the applicant is not
14 adopted; or
15 (B) the adoptive parents of the applicant if the applicant is
16 adopted.
17 (7) A statement of facts necessary to determine whether any legal



impediment to the proposed marriage exists.

(8) Except as provided in subsection (e), an acknowledgment that both applicants must sign, affirming that the applicants have received the information described in section 5 of this chapter, including a list of test sites for the virus that causes AIDS (acquired immune deficiency syndrome). The acknowledgment required by this subdivision must be in the following form:

ACKNOWLEDGMENT

I acknowledge that I have received information regarding dangerous communicable diseases that are sexually transmitted and a list of test sites for the virus that causes AIDS (acquired immune deficiency syndrome).

Signature of Applicant

Date

Signature of Applicant

Date

(b) The clerk of the circuit court shall record the application, including the license and certificate of marriage, in a book provided for that purpose. This book is a public record.

(c) The state department of health shall develop ~~uniform~~ forms for applications for marriage licenses. **The forms developed under this subsection must accommodate the applicants' preference for a form that is either gender specific or gender neutral.** The state department of health shall furnish these forms to the circuit court clerks. The state department of health may periodically revise these forms.

(d) The state department of health shall require that the record of marriage form developed under subsection (c) must include each applicant's Social Security number. Any Social Security numbers collected on the record of marriage form shall be kept confidential and used only to carry out the purposes of the Title IV-D program. A person who knowingly or intentionally violates confidentiality regarding an applicant's Social Security ~~numbers~~ **number** as described in this subsection commits a Class A infraction.

(e) Notwithstanding subsection (a), a person who objects on religious grounds is not required to:

(1) verify the application under subsection (a) by oath or affirmation; or

(2) sign the acknowledgment described in subsection (a)(8).

However, before the clerk of the circuit court may issue a marriage license to a member of the Old Amish Mennonite church, the bishop of that member must sign a statement that the information in the



1 application is true.
2 (f) If a person objects on religious grounds to:
3 (1) verifying the application under subsection (a) by oath or
4 affirmation; or
5 (2) signing the acknowledgment described in subsection (a)(8);
6 the clerk of the circuit court shall indicate that fact on the application
7 for a marriage license.

