

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1361

Introduced by

Representatives Sandvig, Kerzman, Callahan

Senators Andrist, O'Connell, Robinson

1 A BILL for an Act create and enact a new section to chapter 14-03 of the North Dakota Century
2 Code, relating to premarital counseling; and to amend and reenact section 14-03-22 of the
3 North Dakota Century Code, relating to supplemental marriage license fees.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 14-03-22 of the 1995 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **14-03-22. Marriage license fee - Supplemental fee - Duties of officers.** For the
8 issuance and filing of a marriage license the clerk of district court shall collect the sum of six
9 dollars from the party applying for the license. The clerk shall also collect from the applicant a
10 supplemental fee of twenty-nine dollars for aid to victims of domestic violence through the
11 domestic violence prevention fund in accordance with chapter 14-07.1. If the applicant fails to
12 provide to the clerk a certificate indicating the completion by the applicant of premarital
13 counseling that meets the requirements of section 2 of this Act, the clerk shall also collect from
14 the applicant a supplemental fee of forty dollars for the prevention of child abuse and neglect
15 through the children's trust fund in accordance with chapter 50-27. The clerk shall prescribe
16 and furnish the form that is to be completed by the person who certifies that the applicant has
17 completed the premarital counseling. The clerk shall deposit the collected sums monthly with
18 the county treasurer. The county treasurer shall forward the amount represented by
19 supplemental fees to the state treasurer by the fifteenth of each month for crediting to the
20 domestic violence prevention fund and the children's trust fund. The clerk shall prepare a copy
21 of the license and certificate and transmit them to the registrar of vital statistics who shall record
22 them in a book of records kept in the registrar's office for that purpose. The registrar shall index
23 the records and upon request shall issue certified copies of the recorded license and certificate

for a one dollar fee. The registrar shall keep an accurate account of these fees and shall turn them over to the state treasurer by the fifteenth of each month for crediting to the general fund.

SECTION 2. A new section to chapter 14-03 of the North Dakota Century Code is created and enacted as follows:

Premarital counseling.

1. In order to obtain a certificate indicating the completion of premarital counseling as provided in section 14-03-22, the parties to the marriage must receive premarital counseling. For the purposes of this section, "premarital counseling" means one or more meetings, totaling at least six hours, between two parties who are eligible to enter into a marriage contract and have either made application for a marriage license or intend to apply for a marriage license, and one or more neutral parties, for purposes of discussing the rights, expectations, needs, obligations, and other commitments incident to the marriage contract, including discussion about children, finances, relationships with new family members and friends, time management, goal setting, and communication and conflict resolution skills.
2. In the course of premarital counseling, the parties and the counselor shall evaluate the parties' compatibility as a couple and their commitment to one another.
3. Premarital counseling may be provided by any of the following:
 - a. A member of the clergy;
 - b. Staff of a church, including a church volunteer sponsoring couple, or other religious organization with training in premarital counseling; or
 - c. A trained or certified counselor.
4. The completion of the certificate required under section 14-03-22 by the person performing the counseling constitutes a certification that the parties have been counseled.