

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2361

Introduced by

Senators Dever, Erbele, Mathern

Representatives L. Meier, Sandvig, Sitte

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

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

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

7 **14-03-22. Marriage license fee - Supplemental fee - Fee for marriage ceremony -**
8 **Duties of officers.**

9 1. For the issuance and filing of a marriage license, the recorder, unless the board of
10 county commissioners designates a different official, shall collect the sum of ~~six~~
11 thirty-one dollars from the party applying for the license. ~~The~~
12 2. In addition to the license fee provided for in subsection 1, the recorder, or
13 designated official, shall also collect from the applicant a supplemental fee of
14 ~~twenty-nine~~ ninety-four dollars for aid to victims of domestic violence through the
15 domestic violence prevention fund in accordance with chapter 14-07.1, except if
16 the applicant has completed at least twelve hours of premarital counseling, the
17 recorder or designated official shall collect the sum of twenty-nine dollars. To
18 qualify for the reduced license fee, the applicant shall submit to the recorder or
19 designated official a signed and dated certificate that indicates completion by the
20 applicant of premarital counseling that meets the requirements of section 2 of this
21 Act. The recorder or designated official shall prescribe and furnish the form that is
22 to be completed by the individual who certifies that the applicant has completed
23 premarital counseling.

- 1 3. For performing a marriage ceremony during regular courthouse hours, the
2 recorder, or designated official, shall collect a fee of thirty dollars which is to be
3 retained by the county. If the marriage ceremony is performed at a time other than
4 during regular courthouse hours, the recorder, or designated official, may collect
5 and retain a fee in an amount to be determined by the recorder, or designated
6 official.
- 7 4. Except as provided in this section, all collected fees must be deposited monthly
8 with the county treasurer. The county treasurer shall forward the amount
9 represented by supplemental fees to the state treasurer by the fifteenth of each
10 month for crediting to the domestic violence prevention fund.
- 11 5. The recorder, or designated official, shall prepare a copy of the license and
12 certificate and transmit them to the registrar of vital statistics who shall record them
13 in a book of records kept in the registrar's office for that purpose. The registrar
14 shall index the records and upon request shall issue certified copies of the
15 recorded license and certificate for a one dollar fee. The registrar shall keep an
16 accurate account of these fees and shall turn them over to the state treasurer by
17 the fifteenth of each month for crediting to the general fund.

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

20 **Premarital counseling.**

- 21 1. To obtain a certificate indicating the completion of premarital counseling as
22 provided in section 14-03-22, the parties to the marriage must receive premarital
23 counseling. For the purposes of this section, "premarital counseling" means one
24 or more meetings, totaling at least twelve hours, between two parties who are
25 eligible to enter a marriage contract before applying for a marriage license, and
26 one or more neutral parties, for purposes of discussing the rights, expectations,
27 needs, obligations, and other commitments incident to the marriage contract,
28 including discussion about children, finances, relationships with new family
29 members and friends, time management, goalsetting, and communication and
30 conflict resolution skills.
- 31 2. Premarital counseling may be provided by any of the following:

- 1 a. A member of the clergy;
- 2 b. Staff of a church, including a church volunteer sponsoring couple, or other
- 3 religious organization with training in premarital counseling; or
- 4 c. A trained or certified counselor.
- 5 3. The completion of the certificate required under section 14-03-22 by the individual
- 6 performing the counseling constitutes a certification that the parties have been
- 7 counseled.