

Fifty-fifth
Legislative Assembly
of North Dakota

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 deposit the
16 collected sums monthly with the county treasurer. The county treasurer shall forward the
17 amount represented by supplemental fees to the state treasurer by the fifteenth of each month
18 for crediting to the domestic violence prevention fund and the children's trust fund. The clerk
19 shall prepare a copy of the license and certificate and transmit them to the registrar of vital
20 statistics who shall record them in a book of records kept in the registrar's office for that
21 purpose. The registrar shall index the records and upon request shall issue certified copies of
22 the recorded license and certificate for a one dollar fee. The registrar shall keep an accurate
23 account of these fees and shall turn them over to the state treasurer by the fifteenth of each
24 month for crediting to the general fund.

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

3 **Premarital counseling.**

- 4 1. In order to obtain a certificate indicating the completion of premarital counseling as
5 provided in section 14-03-22, the parties to the marriage must receive premarital
6 counseling from a person who solemnizes marriages or a counselor chosen by the
7 parties. The premarital counseling must include counseling in the following
8 matters:
- 9 a. The marriage vows the parties will take;
10 b. Responsibilities of husbands and wives to each other;
11 c. Responsibilities of parents to children; and
12 d. The consequences of marriage dissolution and its known effects on children.
- 13 2. At the conclusion of the counseling, the parties must be given in written form
14 substantially the same information received during the counseling.
- 15 3. The preparation of the certificate required under section 14-03-22 by the person
16 performing the counseling constitutes a certification that the parties have been
17 counseled and have received the written information required by this section.