



House of Representatives

General Assembly

File No. 411

January Session, 2003

Substitute House Bill No. 6446

House of Representatives, April 16, 2003

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PREMARITAL BLOOD TEST REQUIREMENTS AND MARRIAGE CERTIFICATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-45 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 Each person making any certificate of birth, marriage, death or fetal
4 death, or any copy of such certificate for the commissioner, or any
5 sexton's report required by law, shall cause the same to be typewritten
6 or printed in a legible manner as to all material information or facts
7 required by the provisions of sections 7-48, 7-60, 7-62b, 46b-25 [to 46b-
8 27, inclusive,] and 46b-29 to 46b-30, inclusive, and contained in such
9 certificate. If the certificate is in paper format, such person shall sign
10 the certificate in black ink, shall state therein in what capacity such
11 person so signs, and shall type or print in a legible manner the name of
12 each person signing such certificate, under such person's signature. If

13 the certificate is in an electronic format, such certificate shall be
14 authenticated by the electronic vital records system of the department.
15 Any certificate not complying with the requirements of this section
16 shall be returned by the registrar with whom it is filed to the person
17 making the same for the proper correction.

18 Sec. 2. Subdivision (7) of section 45a-106 of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective*
20 *October 1, 2003*):

21 (7) For proceedings brought under [sections 46b-26, 46b-27 and]
22 section 46b-30, the cost shall be twenty-five dollars.

23 Sec. 3. Section 46b-24 of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective October 1, 2003*):

25 (a) No persons may be joined in marriage in this state until both
26 have complied with the provisions of sections 46b-24, [to 46b-27,
27 inclusive,] 46b-25 and 46b-29 to 46b-33, inclusive, as amended by this
28 act, and have been issued a license by the registrar for the town in
29 which (1) the marriage is to be celebrated, [which bears] or (2) either
30 person to be joined in marriage resides, which license shall bear the
31 certification of the registrar that the persons named therein have
32 complied with the provisions of said sections.

33 (b) Such license, when certified by the registrar, is sufficient
34 authority for any person authorized to perform a marriage ceremony
35 in this state to join such persons in marriage, provided the ceremony is
36 performed [within the town where the license was issued and] within
37 a period of not more than sixty-five days after the date of application.

38 (c) Anyone who joins any persons in marriage without having
39 received such license from them shall be fined not more than one
40 hundred dollars.

41 Sec. 4. Section 46b-32 of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2003*):

43 Any registrar who places on file any application for a license, or
 44 issues any license, except as provided in sections 46b-24, as amended
 45 by this act, [to 46b-27, inclusive,] 46b-25 and 46b-29 to 46b-33,
 46 inclusive, as amended by this act, or who conceals or refuses to make
 47 any application available to public examination while his office is open
 48 for business during the period until the license is issued, shall be fined
 49 not more than one hundred dollars or imprisoned not more than thirty
 50 days or both.

51 Sec. 5. Section 46b-33 of the general statutes is repealed and the
 52 following is substituted in lieu thereof (*Effective October 1, 2003*):

53 Each registrar shall issue a copy of sections 46b-24, as amended by
 54 this act, [to 46b-27, inclusive,] 46b-25 and 46b-29 to 46b-33, inclusive, as
 55 amended by this act, to any person making application for a license.

56 Sec. 6. (*Effective October 1, 2003*) Sections 19a-27, 46b-26 and 46b-27
 57 of the general statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>

PH *Joint Favorable Subst. C/R*

PD

PD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Probate Court	PCAF - Revenue Loss	Potential Minimal	Potential Minimal

Note: PCAF=Probate Court Administration Fund

Municipal Impact:

Municipalities	Effect	FY 04 \$	FY 05 \$
All Municipalities	Revenue Impact	Potential Redistribution	Potential Redistribution

Explanation

Local registrars of vital statistics collect a \$30 fee from couples seeking a marriage license - \$19 of which is forwarded to the Department of Public Health and used to fund rape crisis and domestic violence services. The remaining \$11 is retained by the municipality. Since the bill allows marriage licenses to be issued by the registrar of the town of residence of either the prospective bride or groom as well as the town in which the marriage will take place, its passage may result in a redistribution of fee revenue between towns.

Additionally, a minimal revenue loss to the probate court system may result as a \$25 fee would no longer be payable by persons involved in proceedings brought under Sections 46b-26 and 27 CGS.

OLR Bill Analysis

sHB 6446

AN ACT CONCERNING PREMARITAL BLOOD TEST REQUIREMENTS AND MARRIAGE CERTIFICATES

SUMMARY:

This bill allows couples to obtain a marriage license from the town in which either partner lives and be married in any town in the state. Under current law, they must obtain the license from the clerk of the town where the ceremony is to be performed. The bill also repeals requirements that (1) they be tested for syphilis and rubella before getting a license, (2) allow a probate court judge to waive this requirement in some cases, and (3) the public health commissioner adopt regulations related to this testing

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute Change of Reference

Yea 21 Nay 0

Planning and Development Committee

Joint Favorable Report

Yea 16 Nay 0