

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 973

Short Title: Marriage License Change/Study.

(Public)

Sponsors: Representative Hill.

Referred to: Judiciary III, if favorable, Rules, Calendar and Operations of the House.

April 12, 1999

A BILL TO BE ENTITLED

1 AN ACT TO MAKE CHANGES TO THE GENERAL STATUTES CONCERNING
2 THE ISSUANCE OF A MARRIAGE LICENSE AND TO DIRECT THE
3 LEGISLATIVE RESEARCH COMMISSION TO STUDY CHAPTER 51 OF THE
4 GENERAL STATUTES.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 51-8 reads as rewritten:

8 **"§ 51-8. License issued by register of deeds.**

9 Every register of deeds shall, upon proper application, issue a license for the marriage
10 of any two persons if it appears that ~~such these persons are authorized to~~ may be married in
11 accordance with the laws of this State. In making a determination as to whether or not
12 the parties ~~are authorized to~~ may be married under the laws of this State, the register of
13 deeds may require the applicants for the license to marry to present certified copies of
14 birth certificates ~~or birth registration cards provided for in G.S. 130-73, or such any other~~
15 evidence ~~as the register of deeds deems necessary to such this~~ determination. The register
16 of deeds may administer an oath to any person presenting evidence relating to whether or
17 not parties applying for a marriage license are eligible to be married pursuant to the laws
18 of this State. Each applicant for a marriage license shall provide on the application the
19 applicant's social security number. If the applicant does not have a social security
20 number and is ineligible to obtain one, the applicant shall present a statement to that

1 effect, sworn to or affirmed before an officer authorized to administer oaths. Upon
2 presentation of such a statement, the register of deeds shall issue the license, provided all
3 other requirements are met, and shall retain the statement with the register's copy of the
4 license. The register of deeds shall not issue a marriage license unless all of the
5 requirements of this section have been met."

6 Section 2. The Legislative Research Commission shall study Chapter 51 of the
7 General Statutes. The study shall address the following issues:

8 (1) What should be the responsibilities of the register of deeds in
9 determining whether applicants are eligible for a license.

10 (2) What should be the requirements for the issuance of licenses to persons
11 under 18 years of age, including situations when the female applicant is
12 pregnant or has borne a child.

13 (3) The persons who are authorized to give consent to the marriage of
14 underage applicants.

15 (4) The persons who are authorized to solemnize marriages.

16 (5) What should be the duration and geographical scope of a marriage
17 license.

18 (6) What should be the penalties for solemnizing a marriage without a
19 license or with an invalid license.

20 (7) Any other issue the Legislative Research Commission deems relevant.

21 The Commission shall make a final report of its findings and recommendations, including
22 any legislative proposals, regarding revisions to Chapter 51 of the General Statutes to the
23 2001 General Assembly. The Commission may make an interim report to the 1999
24 General Assembly, 2000 Regular Session.

25 Section 3. Section 2 of this act becomes effective July 1, 1999. The remainder
26 of this act is effective when it becomes law.