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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3917

02/27/2020 Authored by Runbeck and Davnie
The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division

1.1 A bill for an act
1.2 relating to marriage; requiring an education course for parents with children before
1.3 marriage; allowing for a reduced fee for marriage for parents with children;
1.4 requiring reporting on stepfamily education; amending Minnesota Statutes 2018,
1.5 section 517.08, subdivisions 1a, 1c, 4, by adding a subdivision.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2018, section 517.08, subdivision 1a, is amended to read:

1.8 Subd. 1a. Form. Application for a civil marriage license shall be made by both of the
1.9 parties upon a form provided for the purpose and shall contain the following information:

1.10 (1) the full names of the parties and the sex of each party;

1.11 (2) their post office addresses and county and state of residence;

1.12 (3) their full ages;

1.13 (4) if either party has previously been married, the party's married name, and the date,
1.14 place and court in which the civil marriage was dissolved or annulled or the date and place
1.15 of death of the former spouse;

1.16 (5) if either party is a minor, the name and address of the minor's parents or guardian;

1.17 (6) whether the parties are related to each other, and, if so, their relationship;

1.18 (7) if either party has custody or parenting time with a minor child from a previous
1.19 relationship;

1.20 (8) the address of the parties after the civil marriage is entered into to which the local
1.21 registrar shall send a certified copy of the civil marriage certificate;

2.1 ~~(8)~~ (9) the full names the parties will have after the civil marriage is entered into and
 2.2 the parties' Social Security numbers. The Social Security numbers must be collected for the
 2.3 application but must not appear on the civil marriage license. If a party listed on a civil
 2.4 marriage application does not have a Social Security number, the party must certify on the
 2.5 application, or a supplement to the application, that the party does not have a Social Security
 2.6 number;

2.7 ~~(9)~~ (10) if one or both of the parties to the civil marriage license has a felony conviction
 2.8 under Minnesota law or the law of another state or federal jurisdiction, the parties shall
 2.9 provide to the county proof of service upon the prosecuting authority and, if applicable, the
 2.10 attorney general, as required by section 259.13; and

2.11 ~~(10)~~ (11) notice that a party who has a felony conviction under Minnesota law or the
 2.12 law of another state or federal jurisdiction may not use a different name after a civil marriage
 2.13 except as authorized by section 259.13, and that doing so is a gross misdemeanor.

2.14 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to applications
 2.15 on or after that date.

2.16 Sec. 2. Minnesota Statutes 2018, section 517.08, subdivision 1c, is amended to read:

2.17 Subd. 1c. **Disposition of license fee.** (a) Of the civil marriage license fee collected
 2.18 pursuant to subdivision 1b, paragraph (a), \$25 must be retained by the county. The local
 2.19 registrar must pay \$90 to the commissioner of management and budget to be deposited as
 2.20 follows:

2.21 (1) \$55 in the general fund;

2.22 (2) \$3 in the state government special revenue fund ~~to be~~, which is appropriated to the
 2.23 commissioner of public safety for parenting time centers under section 119A.37;

2.24 (3) \$2 in the special revenue fund ~~to be~~, which is appropriated to the commissioner of
 2.25 health for developing and implementing the MN ENABL program under section 145.9255;

2.26 (4) \$25 in the special revenue fund, which is appropriated to the commissioner of
 2.27 employment and economic development for the displaced homemaker program under section
 2.28 116L.96; and

2.29 (5) \$5 in the special revenue fund, which is appropriated to the Board of Regents of the
 2.30 University of Minnesota for the Minnesota couples on the brink project under section 137.32.

3.1 (b) Of the \$40 fee under subdivision 1b, paragraph (b), \$25 must be retained by the
3.2 county. The local registrar must pay \$15 to the commissioner of management and budget
3.3 to be deposited as follows:

3.4 (1) \$5 as provided in paragraph (a), clauses (2) and (3); and

3.5 (2) \$10 in the special revenue fund is appropriated to the commissioner of employment
3.6 and economic development for the displaced homemaker program under section 116L.96.

3.7 (c) Of the \$50 fee under subdivision 1d, paragraph (a), \$25 must be retained by the
3.8 county. The local registrar must pay \$25 to the commissioner of management and budget
3.9 to be deposited as follows:

3.10 (1) \$10 as provided in paragraph (a), clauses (2), (3), and (5);

3.11 (2) \$10 in the special revenue fund is appropriated to the commissioner of employment
3.12 and economic development for the displaced homemaker program under section 116L.96;
3.13 and

3.14 (3) \$5 in the special revenue fund is appropriated to the Board of Regents of the
3.15 University of Minnesota for the Minnesota couples on the brink project under section 137.32
3.16 to administer the stepfamily program.

3.17 **EFFECTIVE DATE.** This section is effective January 1, 2021, and applies to all
3.18 applications for civil marriage licenses made on or after that date.

3.19 Sec. 3. Minnesota Statutes 2018, section 517.08, is amended by adding a subdivision to
3.20 read:

3.21 Subd. 1d. **Stepfamily education; license fee.** (a) The civil marriage license fee for
3.22 parties who have completed stepfamily education is \$50. Both parties to a marriage must
3.23 attend a four-hour online or in-person course when one of the parties has custody of or
3.24 parenting time with a minor child from a previous relationship. The parties must submit a
3.25 letter to the county clerk from the program or person who provided the stepfamily education.
3.26 The local registrar must not issue the civil marriage license until the parties have provided
3.27 the statement required in this subdivision.

3.28 (b) The statement from the person who provided the stepfamily education under paragraph
3.29 (a) must be in the following form:

3.30 "I, (name of educator), confirm that (names of both
3.31 parties) completed the stepfamily education course. I am authorized to provide the course
3.32 pursuant to Minnesota Statutes, section 517.08."

4.1 The names of the parties in the educator's statement must be identical to the legal names
4.2 of the parties as they appear in the civil marriage license application. Notwithstanding
4.3 section 138.17, the county clerk must retain the educator's statement for seven years.

4.4 (c) The stepfamily education must be provided by a program approved by the Minnesota
4.5 couples on the brink project, which shall provide minimum standards for stepfamily education
4.6 programs, approve eligible programs, and inform county clerks about eligible programs.
4.7 The eligible programs must be based on research and have evidence for effectiveness in
4.8 promoting stepfamily adjustment. The program may charge a fee to cover the cost of the
4.9 program. The program must include a sliding fee scale for low-income participants and
4.10 must offer a party who qualifies for a waiver of fees under section 563.01 the opportunity
4.11 to take the course for free. The course must provide information about:

4.12 (1) the challenges faced by children and adults in stepfamilies;

4.13 (2) the dynamics of parenting in a stepfamily and skills for coparenting in a stepfamily;

4.14 (3) the challenges and opportunities for married couples in stepfamilies and skills for
4.15 communication, problem solving, and relationship maintenance in a stepfamily; and

4.16 (4) the risk of domestic violence, including child and spousal abuse, and information on
4.17 domestic violence resources.

4.18 (d) The county clerk may waive the education requirement under this subdivision for a
4.19 person who submits an affidavit indicating that the course is not available in a language
4.20 that they speak.

4.21 (e) The county clerk must prominently display information about the educational
4.22 requirement for stepfamilies, including the fee reduction, on the county clerk's website and
4.23 in printed materials and shall provide the following information: "When a new marriage
4.24 forms a stepfamily with minor children, Minnesota law requires that both parties complete
4.25 a four-hour educational course, online or in person, prior to being issued a marriage license.
4.26 The main reason for this requirement is the welfare of the children. Research has shown
4.27 that there are unique stresses for children in stepfamily life and that a brief educational
4.28 program for their parents and stepparents can help children adjust and do well. Marriage
4.29 relationships also benefit when both spouses understand the special challenges of coparenting
4.30 in stepfamilies, and when they learn skills for managing these challenges. In order to offset
4.31 the expense of the educational program, your marriage license fee is reduced from \$110 to
4.32 \$50."

5.1 **EFFECTIVE DATE.** This section is effective January 1, 2021, and applies to all
5.2 applications for civil marriage licenses made on or after that date.

5.3 Sec. 4. Minnesota Statutes 2018, section 517.08, subdivision 4, is amended to read:

5.4 Subd. 4. **Report.** (a) The local registrar of each county shall annually report to the
5.5 Department of Health:

5.6 (1) the number of civil marriage licenses issued in the county for which the fee in
5.7 subdivision 1b, paragraph (a), was paid ~~and~~;

5.8 (2) the number of civil marriage licenses for which the fee in subdivision 1b, paragraph
5.9 (c), was paid~~;~~;

5.10 (3) the number of civil marriage licenses issued in the county for which the fee in
5.11 subdivision 1d was paid; and

5.12 (4) the number of marriage license applications where the parties indicated one party
5.13 has custody or parenting time of a minor child from a previous relationship.

5.14 (b) The Minnesota couples on the brink project must annually report to the Department
5.15 of Health the number of participants in the program.

5.16 **EFFECTIVE DATE.** This section is effective January 1, 2021, and applies to all
5.17 applications for civil marriage licenses made on or after that date.