

Representative Dixon M. Pitcher proposes the following substitute bill:

PREMARITAL EDUCATION AND COUNSELING

AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dixon M. Pitcher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the marriage education or counseling provisions by requiring a reduction in marriage license fees for couples who voluntarily undergo premarital counseling that meets specific criteria.

Highlighted Provisions:

This bill:

- ▶ reduces the marriage license fee for a couple who undergo premarital education or counseling;

~~▶ increases the license fee for a couple who do not undergo premarital education or counseling;~~

- ▶ creates a three day waiting period for a license before it can be used; and

- ▶ sets out a list of topics the premarital counseling should cover.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2013.

Utah Code Sections Affected:



88 (iii) a licensed counselor;
89 (iv) an individual certified by the National Council on Family Relations as a Certified
90 Family Life Educator;

91 (v) a Family and Consumer Sciences educator, including Family and Consumer
92 Sciences educators with the Utah State University Cooperative Extension Service; or

93 (vi) an individual who is an approved instructor of a premarital education curriculum
94 that meets the requirements in Subsection (2)(b).

95 (b) The education or counseling shall include, as a minimum, the following topics:

96 (i) commitment in marriage;

97 (ii) marital fidelity;

98 (iii) effective communication and problem-solving skills, including avoiding violence
99 and abuse in the relationship;

100 (iv) effective financial management; and

101 (v) encouragement to discuss any information that could reasonably affect the decision
102 to marry.

103 (c) At least six hours of premarital education or three hours of premarital counseling
104 are required to fulfill the requirements of this section.

105 (d) Religious organizations offering formal premarital education or counseling are
106 exempt from the content requirements in Subsection (2)(b), but shall adhere to the length of
107 time requirement.

108 (e) Providers are encouraged to make use of research-based relationship inventories.

109 (3) The statement from the person who provided the premarital education or
110 counseling under Subsection (2) shall include the following:

111 "I, (name of provider), confirm that I provided (names of both parties) at least three
112 hours of premarital counseling or six hours of premarital education. I am authorized to provide
113 premarital education or counseling in accordance with Subsection 30-1-34(2)(a) Utah Code
114 Annotated, 1953."

115 (4) The names of the parties in the provider's statement shall be identical to the legal
116 names of the parties as they appear on the marriage license application. The provider's
117 statement shall be filed with the license.

118 **H→ ~~(5) The fee for a marriage license if the couple has not completed premarital education~~**

119 ~~or counseling is \$65.] ←H~~

120 Section 5. Section **30-1-36** is amended to read:

121 **30-1-36. Activities included in premarital education.**

122 Premarital education or counseling as used in this ~~[act shall]~~ part may include but not
123 be limited to lectures, group ~~[counseling,]~~ education, online courses, relationship inventories,
124 and individual education or counseling [and testing].

125 Section 6. Section **30-1-37** is amended to read:

126 **30-1-37. Confidentiality of information obtained -- Recordkeeping -- Utah**

127 **Commission on Marriage to provide information to public.**

128 (1) Except for the information required or to be required on the marriage license
129 application form, any information given by a marriage license applicant in compliance with this
130 chapter shall be confidential information and may not be released by any person, board,
131 commission, or other entity. However, the [premarital counseling board or board of
132 commissioners] county clerk or the Utah Commission on Marriage within the Department of
133 Workforce Services may use the information, without identification of individuals, to compile
134 and release statistical data.

135 (2) The county clerk shall keep a record of the number of marriage license applicants
136 who:

137 (a) paid the reduced fee because of participation in premarital education or counseling;
138 and

139 (b) were granted an exception to the 72-hour waiting period and the reason for the
140 exception.

141 (3) The information collected under Subsection (2) shall be provided in a report to the
142 Utah Commission on Marriage no later than December 31 of each year.

143 (4) The Utah Commission on Marriage shall:

144 (a) provide information and resources to educate the public on the value of premarital
145 education and counseling;

146 (b) maintain a list of marriage and family life curricula that contain the elements
147 required in Subsection 30-1-34(2)(b) and make it available to the public;

148 (c) evaluate the effectiveness of this program based on the information provided by the
149 county clerks and other sources; and