

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 4 - 1 - 0

Yeas: Metsger, Morse, Westlund, Walker

Nays: Kruse

Exc.: 0

Prepared By: Dana Richardson, Administrator

Meeting Dates: 5/22

WHAT THE MEASURE DOES: Requires delivery of completed marriage application, license, and record to the Center for Health Statistics. Requires person solemnizing marriage to deliver marriage license application, license, and record of marriage to issuing county clerk within ten days after marriage ceremony. Deletes statutory specifications for marriage certificates. Authorizes county clerks to design and issue commemorative marriage certificates. Permits either party entering marriage to retain surname, change surname to surname of the other party, or hyphenate a combination of the surnames.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Permits either party entering marriage to retain surname, change surname to surname of the other party, or hyphenate a combination of the surnames. Resolves conflicts with HB 2007 regarding establishing requirements and procedures for entering into domestic partnership contracts between individuals of the same sex.

BACKGROUND: Current statutes conflict on the deadline for submitting marriage documents to county clerks: ORS 432.405(3) requires submission within ten days while ORS 106.170 specifies a one month timeframe. Currently, contents of marriage certificates are specified in statute, and the Director of the Department of Human Services is authorized to issue a commemorative certificate. HB 3120-B, requested by the Oregon Association of County Clerks, reorganizes the authorities and unifies the submission requirement.

Six other states – Georgia, Hawaii, Iowa, Massachusetts, New York, and North Dakota – allow a man to change his name through marriage in the same way that a woman can. In Oregon, under current statutes, a man who would like to take the surname of his wife or have a hyphenated surname would have to get a court judgment name change to do so. HB 3120-B allows married persons, regardless of their gender, to change their surname upon marriage.