

**SENATE AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 3120  
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

May 30

- 1 On page 1 of the printed A-engrossed bill, line 3, after “106.170,” insert “106.220,”.  
2 In line 16, delete “by”.  
3 In line 17, delete “rule” and delete “prescribe” and insert “provide”.  
4 In line 24, delete “and”.  
5 In line 25, delete the period and insert “; and”.  
6 After line 25, insert:  
7 “(d) Each applicant’s name after marriage as provided in ORS 106.220.”.  
8 On page 6, after line 40, insert:  
9 “**SECTION 12.** ORS 106.220 is amended to read:  
10 “106.220. [*Upon entering into marriage, either person may retain the prior surname, and either*  
11 *person may resume the person’s prior legal name during the marriage.*] **(1) Upon entering into**  
12 **marriage, either party may retain the party’s surname prior to the marriage or change the**  
13 **party’s surname to the surname of the other party or to a hyphenated combination of the**  
14 **surnames of both parties. If a party requests a surname change under this section, that**  
15 **party may also change the party’s middle name to the party’s surname prior to the marriage.**  
16 **Each party must indicate on the application, license and record of marriage the party’s name**  
17 **after marriage.**  
18 **“(2) The name of each party after marriage as indicated on the application, license and**  
19 **record of marriage shall become the sole legal name of each party after marriage. If a party**  
20 **indicates a name change other than as described in subsection (1) of this section, the party**  
21 **shall request approval of the court pursuant to ORS 33.410.**  
22 **“SECTION 13.** If House Bill 2007 becomes law, section 10 of this 2007 Act (amending ORS  
23 432.235) is repealed and ORS 432.235, as amended by section 17, chapter 99, Oregon Laws 2007  
24 (Enrolled House Bill 2007), is amended to read:  
25 “432.235. (1) A certificate or report registered under this chapter may be amended only in ac-  
26 cordance with this chapter and rules adopted by the State Registrar of the Center for Health Sta-  
27 tistics to protect the integrity and accuracy of vital records and vital reports.  
28 “(2) A certificate or report that is amended under this section shall indicate that it has been  
29 amended, except as otherwise provided in ORS 432.230, this section or by rule of the state registrar.  
30 A record shall be maintained that identifies the evidence upon which the amendment was based, the  
31 date of the amendment and the identity of the person making the amendment. The state registrar  
32 shall prescribe by rule the conditions under which additions or minor corrections may be made to  
33 certificates or reports within one year without the certificate or report indicating that it has been  
34 amended.

1           “(3) Upon receipt of a certified copy of an order of a court changing the name of a person born  
2 in this state and upon request of such person or if the person is a minor or incompetent, the parents,  
3 guardian or legal representative of the person, the state registrar shall amend the certificate of birth  
4 to show the new name.

5           “(4) Upon receipt of a certified copy of an order of a court of competent jurisdiction indicating  
6 that the sex of an individual born in this state has been changed by surgical procedure and whether  
7 such individual’s name has been changed, the certificate of birth of such individual shall be amended  
8 as prescribed by rule of the state registrar.

9           “(5) When an applicant does not submit the minimum documentation required by rule of the  
10 state registrar for amending a vital record or when the state registrar has cause to question the  
11 validity or adequacy of the applicant’s sworn statements or the documentary evidence, and if the  
12 deficiencies are not corrected, the state registrar shall not amend the vital record and shall advise  
13 the applicant of the reason for this action and shall further advise the applicant of the right of ap-  
14 peal under ORS 183.480 and 183.484.

15           “(6) When a certificate or report is amended under this section by the state registrar, the state  
16 registrar shall report the amendment to any other custodian of the vital record and the record of  
17 the other custodian shall be amended accordingly.

18           “(7) When an amendment is made to [*a certificate for a*] **an application, license and record of**  
19 marriage or to a Declaration of Domestic Partnership by the local official issuing the marriage li-  
20 cense or registering the declaration, copies of the amendment shall be forwarded to the state  
21 registrar.

22           “(8)(a) When a party or legal representative proposes to set aside or change any information  
23 recorded in a dissolution of marriage judgment or dissolution of domestic partnership judgment filed  
24 pursuant to ORS 432.408, the party or legal representative seeking the amendment or set aside order  
25 shall prepare a summary of the changes in the form prescribed or furnished by the state registrar  
26 and shall present the form to the clerk of the court along with the proposed supplemental judgment.  
27 In all cases the completed form shall be a prerequisite to the entry of the supplemental judgment.

28           “(b) The clerk of the court shall complete and forward to the Center for Health Statistics the  
29 records of each such supplemental judgment in the same manner prescribed by ORS 432.408.”.

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