

By Senator Storms

10-01835D-09

20092310\_\_

1                   A bill to be entitled  
2           An act relating to premarital preparation; amending s.  
3           741.01, F.S.; providing for an additional marriage  
4           license fee and distribution of proceeds; providing  
5           for refund of this additional fee for completion of a  
6           premarital preparation course; amending s. 741.011,  
7           F.S.; conforming a provision to changes made by this  
8           act; amending s. 741.0305, F.S.; increasing the  
9           minimum number of hours of a premarital preparation  
10          course; specifying that the use of a premarital  
11          inventory may be a part of a premarital preparation  
12          course; defining the term "premarital inventory";  
13          providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17           Section 1. Subsections (4) and (5) of section 741.01,  
18           Florida Statutes, are amended to read:

19           741.01 County court judge or clerk of the circuit court to  
20           issue marriage license; fee.—

21           (4) ~~An Additional fees fee of \$25~~ shall be paid to the  
22           clerk upon receipt of the application for issuance of a marriage  
23           license and. ~~The moneys collected~~ shall be remitted by the clerk  
24           to the Department of Revenue, monthly, as follows:

25           (a) Twenty-five dollars for deposit in the General Revenue  
26           Fund.

27           (b) One hundred dollars for deposit in the Marriage  
28           Education Trust Fund.

29           (5) The fee charged for each marriage license issued in the

10-01835D-09

20092310\_\_

30 state shall be reduced by a sum of \$132.50 ~~\$32.50~~ for all  
 31 couples who present valid certificates of completion of a  
 32 premarital preparation course from a qualified course provider  
 33 registered under s. 741.0305(5) for a course taken no more than  
 34 1 year prior to the date of application for a marriage license.  
 35 For each license issued that is subject to the fee reduction of  
 36 this subsection, the clerk is not required to transfer the sum  
 37 of \$7.50 to the Department of Revenue for deposit in the  
 38 Displaced Homemaker Trust Fund pursuant to subsection (3), ~~or~~ to  
 39 transfer the sum of \$25 to the Department of Revenue for deposit  
 40 in the General Revenue Fund, or to transfer the sum of \$100 to  
 41 the Department of Revenue for deposit in the Marriage Education  
 42 Trust Fund.

43 Section 2. Section 741.011, Florida Statutes, is amended to  
 44 read:

45 741.011 Installment payments.—An applicant for a marriage  
 46 license who is unable to pay the fees required under s. 741.01  
 47 in a lump sum may make payment in not more than three  
 48 installments over a period of 90 days. The clerk shall accept  
 49 installment payments upon receipt of an affidavit that the  
 50 applicant is unable to pay the fees in a lump-sum payment. Upon  
 51 receipt of the third or final installment payment, the marriage  
 52 license application shall be deemed filed, and the clerk shall  
 53 issue the marriage license to the applicant and distribute the  
 54 fees as provided in s. 741.01. In the event that the marriage  
 55 license fee is paid in installments, the clerk shall retain \$1  
 56 from the additional fees ~~fee~~ imposed pursuant to s. 741.01(4),  
 57 divided equally among them, as a processing fee.

58 Section 3. Section 741.0305, Florida Statutes, is amended

10-01835D-09

20092310\_\_

59 to read:

60 741.0305 Marriage fee reduction for completion of  
61 premarital preparation course; premarital inventory.-

62 (1) A man and a woman who intend to apply for a marriage  
63 license under s. 741.04 may, together or separately, complete a  
64 premarital preparation course of not less than 8 4 hours. Each  
65 individual shall verify completion of the course by filing with  
66 the application a valid certificate of completion from the  
67 course provider, which certificate shall specify whether the  
68 course was completed by personal instruction, videotape  
69 instruction, instruction via other electronic medium, or a  
70 combination of those methods. All individuals who complete a  
71 premarital preparation course pursuant to this section must be  
72 issued a certificate of completion at the conclusion of the  
73 course by their course provider. Upon furnishing such  
74 certificate when applying for a marriage license, the  
75 individuals shall have their marriage license fee reduced by  
76 \$132.50 ~~\$32.50~~.

77 (2) The premarital preparation course may include use of a  
78 premarital inventory and include instruction regarding:

- 79 (a) Conflict management.  
80 (b) Communication skills.  
81 (c) Financial responsibilities.  
82 (d) Children and parenting responsibilities.  
83 (e) Data compiled from available information relating to  
84 problems reported by married couples who seek marital or  
85 individual counseling.

86 (3) (a) All individuals electing to participate in a  
87 premarital preparation course shall choose from the following

10-01835D-09

20092310\_\_

88 list of qualified instructors:

89 1. A psychologist licensed under chapter 490.

90 2. A clinical social worker licensed under chapter 491.

91 3. A marriage and family therapist licensed under chapter  
92 491.

93 4. A mental health counselor licensed under chapter 491.

94 5. An official representative of a religious institution  
95 which is recognized under s. 496.404(19), if the representative  
96 has relevant training.

97 6. Any other provider designated by a judicial circuit,  
98 including, but not limited to, school counselors who are  
99 certified to offer such courses. Each judicial circuit may  
100 establish a roster of area course providers, including those who  
101 offer the course on a sliding fee scale or for free.

102 (b) The costs of such premarital preparation course shall  
103 be paid by the applicant.

104 (4) As used in this section, the term "premarital  
105 inventory" means a survey or questionnaire that a couple takes  
106 or completes which is be scored and evaluated for each couple's  
107 relationship to one another. The premarital inventory may  
108 address such relationship issues as communication, conflict  
109 resolution, personality types, marriage expectations, family-of-  
110 origin, children and parenting, and financial habits.  
111 Inventories may offer customized versions for couples who have  
112 been married before and couples who have children from a  
113 previous marriage. The purpose of the premarital inventory is to  
114 help couples better understand each other, understand each  
115 other's expectations in marriage, understand the common reasons  
116 for divorce, and discover potential problems that might develop

10-01835D-09

20092310\_\_

117 in their marriage before they enter into the relationship.

118 (5)~~(4)~~ Each premarital preparation course provider shall  
119 furnish each participant who completes the course with a  
120 certificate of completion specifying the name of the participant  
121 and the date of completion and whether the course was conducted  
122 by personal instruction, videotape instruction, or instruction  
123 via other electronic medium, or by a combination of these  
124 methods.

125 (6)~~(5)~~ All area course providers shall register with the  
126 clerk of the circuit court by filing an affidavit in writing  
127 attesting to the provider's compliance with the premarital  
128 preparation course requirements as set forth in this section and  
129 including the course instructor's name and qualifications,  
130 including the license number, if any, or, if an official  
131 representative of a religious institution, a statement as to  
132 relevant training. The affidavit shall also include the  
133 addresses where the provider may be contacted.

134 Section 4. This act shall take effect July 1, 2009.