

# SENATE BILL REPORT

## ESB 5546

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As Passed Senate, March 13, 1995

**Title:** An act relating to affidavits required for marriage licenses.

**Brief Description:** Revising the affidavits required for marriage licenses.

**Sponsors:** Senator Snyder.

**Brief History:**

**Committee Activity:** Law & Justice: 2/16/95, 2/20/95 [DP].  
Passed Senate, 3/13/95, 48-0.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Hargrove, Haugen, Johnson, Long, Roach and Schow.

**Staff:** Dick Armstrong (786-7460)

**Background:** Under current law, a county auditor cannot issue a marriage license to a couple unless each applicant submits an affidavit showing that he or she does not have any contagious venereal disease. In certain instances, couples have been denied the opportunity to marry because at least one of the applicants has indicated to the auditor that he or she has a venereal disease.

In 1988, the Omnibus AIDS Act changed the phrase "venereal disease" to "sexually transmitted disease."

**Summary of Bill:** A county auditor cannot issue a marriage license unless each applicant files an affidavit that the applicant does not have a sexually transmitted disease or, if such a disease is present, that the existence of the disease is known to each applicant. The affidavit form must be designed to avoid requiring disclosure of whether any applicant actually has a sexually transmitted disease.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** A person who has a sexually transmitted disease should be able to marry in this state and not be forced to travel to another state. Many people have STDs, such as herpes, and disclosure to the other partner should be sufficient to get a marriage license.

**Testimony Against:** None.

**Testified:** Senator Snyder, prime sponsor.