

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 224

H.P. 185

House of Representatives, February 5, 2013

An Act To Streamline the Change of Name Process for Persons Getting Married

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative MASTRACCIO of Sanford.
Cosponsored by Senator PATRICK of Oxford and
Representatives: BOLAND of Sanford, CAMPBELL of Newfield, KORNFIELD of Bangor,
LIBBY of Waterboro, NOON of Sanford, PLANTE of Berwick, VOLK of Scarborough,
WINCHENBACH of Waldoboro.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §651, sub-§2**, as amended by IB 2011, c. 1, §3 and PL 2011,
3 c. 511, §1, is repealed and the following enacted in its place:

4 **2. Application.** The parties wishing to record notice of their intentions of marriage
5 shall submit an application for recording notice of their intentions of marriage. The
6 application may be issued to any 2 persons otherwise qualified under this chapter
7 regardless of the sex of each person and must include the names of both parties. If a party
8 intends to change that party's name upon marriage, the application must include the
9 proposed new name of that party. The application must include a signed certification that
10 the information recorded on the application is correct and that the applicant is free to
11 marry according to the laws of this State. The applicant's signature must be
12 acknowledged before an official authorized to take oaths. An application recording
13 notice of intention to marry is not open for public inspection for 50 years from the date of
14 the application except that:

15 A. The names of the parties for whom intentions to marry are filed and the intended
16 date of marriage are public records and open for public inspection; and

17 B. A person with a researcher identification card under Title 22, section 2706,
18 subsection 8 is permitted to inspect records and may be issued a noncertified copy of
19 an application.

20 **Sec. 2. 19-A MRSA §654, sub-§3**, as amended by PL 2011, c. 111, §1, is further
21 amended to read:

22 **3. Statement including officiant and witnesses.** The marriage license returned
23 must contain a statement giving the names of the parties united in marriage, place and
24 date of the marriage, the new name of either party if either party intends to change that
25 party's name, the signature of the person by whom the marriage was solemnized and the
26 names of the 2 witnesses. The person who solemnized the marriage shall add the title of
27 the office by virtue of which the marriage was solemnized, the residence of the person
28 who solemnized the marriage and:

29 A. The date ordained or authorized by a religious faith to perform marriages;

30 B. The date the notary public's commission expires;

31 C. The date the lawyer was admitted to the Maine Bar; or

32 D. The date the person's temporary registration certificate was issued under section
33 655, subsection 1-A.

34 **Sec. 3. 19-A MRSA §656, sub-§3** is enacted to read:

35 **3. Name change.** If the marriage license indicates that a party intends to change that
36 party's name under section 654, subsection 3, the new name indicated on the license
37 becomes effective upon completion of the marriage license pursuant to subsection 2.

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SUMMARY

This bill allows a person who is getting married to change that person's name by indicating the new name on the application for recording notice of intent to marry, which becomes effective upon the completion of the marriage license. It also resolves a conflict in the Maine Revised Statutes, Title 19-A, section 651, subsection 2, which occurred when 2 laws amended the same provision, by incorporating the changes made by both laws.