

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 552 Session of
1989

INTRODUCED BY REINARD, TRELLO, J. L. WRIGHT, PETRARCA, TIGUE,
HALUSKA, DISTLER, FOX, FARMER, JADLOWIEC, STABACK, KOSINSKI,
WOGAN, McVERRY, CIVERA, GEIST, JOHNSON, LANGTRY, SEMMEL,
NOYE, CAWLEY, GIGLIOTTI, CAPPABIANCA, DORR, MORRIS, MICOZZIE
AND CORNELL, FEBRUARY 15, 1989

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, FEBRUARY 15, 1989

AN ACT

1 Amending the act of August 22, 1953 (P.L.1344, No.383), entitled
2 "An act relating to marriage; and amending, revising,
3 consolidating and changing the law relating thereto," further
4 providing for the examination of applicants.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 7 of the act of August 22, 1953
8 (P.L.1344, No.383), known as The Marriage Law, is amended to
9 read:

10 Section 7. Examination of Applicants.--[Each] Except as
11 otherwise provided for in this section, each of the applicants
12 for a marriage license shall appear in person before the clerk
13 of the orphans' court of the county in which the license is to
14 be issued, or before an alderman or justice of the peace of that
15 county or in any county of this Commonwealth. At the time of
16 such appearance, the applicant, or both of them if they appear
17 together, shall be examined under oath or affirmation as to:

1 (a) The legality of the contemplated marriage;

2 (b) Any prior marriage or marriages and its or their
3 dissolution;

4 (c) All the information required to be furnished on the
5 application for license as prepared and approved by the
6 Department of Health;

7 (d) The restrictions set forth in section four of this act.

8 The application or applications shall thereupon be completed
9 in accordance with such examination and duly sworn or subscribed
10 to by the applicants.

11 Upon the completion of any application or applications taken
12 before an alderman or justice of the peace, such application or
13 applications shall be promptly transmitted to the clerk of the
14 orphans' court of the county in which the license is to be
15 issued.

16 The clerk of the orphans' court wherein the license is
17 sought, when properly completed applications on behalf of each
18 of the parties to the proposed marriage have been taken before
19 him or duly forwarded to him by an alderman or justice of the
20 peace, shall, if there is no legal objection to the marriage,
21 grant a license. Such license shall not be granted until or
22 after the third day following the date of the most recent of the
23 two applications therefor.

24 The clerk of the orphans' court shall provide application
25 blanks upon request to aldermen and justices of the peace.

26 If an applicant is unable to appear in person, the clerk of
27 the orphans' court shall provide that the person make an
28 application by sworn affidavit. Affidavit forms shall be made
29 available by the clerk of the orphans' court.

30 Section 2. This act shall take effect in 60 days.