

26:8-27

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2002 **CHAPTER:** 88
NJSA: 26:8-27 (Marriage license applications - no information on race)
BILL NO: A1753 (Substituted for S1505)

SPONSOR(S): Weinberg and Caraballo

DATE INTRODUCED: February 4, 2002

COMMITTEE: **ASSEMBLY:** Family, Women and Children's Services

SENATE: Health and Human Services

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** March 25, 2002

SENATE: September 12, 2002

DATE OF APPROVAL: October 24, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

A1753

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S1505

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

Bill and Sponsors Statement identical to A1753

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

Identical to Assembly Statement for A1753

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 633-2111 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes
"Marriage license papers won't ask for race now," 10-25-2002 Star Ledger, p.31

P.L. 2002, CHAPTER 88, *approved October 24, 2002*
Assembly, No. 1753

1 AN ACT concerning marriage licenses and amending R.S.26:8-27,
2 R.S.26:8-47 and R.S.37:1-17.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.26:8-27 is amended to read as follows:

8 26:8-27. The department shall issue to each local registrar and to
9 city clerks of cities of the first class, the form and substance of the
10 several inquiries to be made of applicants for a marriage license and
11 their witnesses for the purpose of ascertaining whether any legal
12 impediment to any proposed marriage exists.

13 The form shall not contain any inquiries or information which
14 concerns the race of an applicant for a marriage license.

15 (cf: P.L.1965, c.78, s.49)

16

17 2. R.S.26:8-47 is amended to read as follows:

18 26:8-47. The department shall cause to be prepared blank forms of
19 certificates of marriages and marriage licenses corresponding to the
20 requirements of [sections 37:1-7 and 37:1-17 of the Title Marriages
21 and Married Persons] R.S.37:1-7 and R.S.37:1-17. The forms,
22 together with such sections of the laws concerning marriages and such
23 instructions and explanations thereof as the department may deem
24 useful to persons having duties to perform under such laws shall be
25 printed and supplied upon request therefor to the local registrars and
26 to the city clerks of cities of the first class.

27 All certificates of marriages and marriage licenses shall be written
28 upon the said blanks or blanks approved by the department and shall
29 not contain any inquiries or information which concerns the race of an
30 applicant for a marriage license.

31 (cf: P.L.1965, c.78, s.64)

32

33 3. R.S.37:1-17 is amended to read as follows:

34 37:1-17. On the marriage license shall be the form for the
35 certificate of marriage in quadruplicate, to which the licensing officer
36 shall have set forth particularly therein the name, age, parentage,
37 [race,] birthplace, residence, Social Security number and condition
38 (whether single, widowed or divorced) of each of the married persons,
39 and the names and county of birth of their parents. The Social Security
40 number shall be kept confidential and may only be released for child
41 support enforcement purposes, and shall not be considered a public

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.). The person by
2 whom or the religious society, institution, or organization by or before
3 which, the marriage was solemnized, shall personally or by legally
4 authorized agent subscribe where indicated on the form the date and
5 place of the marriage. Each certificate of marriage shall also contain
6 the signature and residence of at least two witnesses who were present
7 at the marriage ceremony.

8 (cf: P.L.1998, c.1, s.45)

9

10 4. This act shall take effect 90 days following enactment.

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STATEMENT

14

15 This bill eliminates the requirement under current law that
16 applications for marriage licenses contain information on an
17 individual's race.

18 The bill amends R.S.26:8-27 and R.S.26:8-47 to provide that
19 applications for marriage licenses issued by the Department of Health
20 and Senior Services shall not contain any inquiries or any information
21 which concerns an applicant's race. The bill also amends R.S.37:1-17
22 to eliminate the requirement that a licensing officer record the race of
23 each of the individuals getting married on a marriage license.

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26

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28 Provides that marriage license applications and marriage licenses shall
29 not contain information on race.

ASSEMBLY, No. 1753

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED FEBRUARY 4, 2002

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Assemblyman WILFREDO CARABALLO

District 29 (Essex and Union)

Co-Sponsored by:

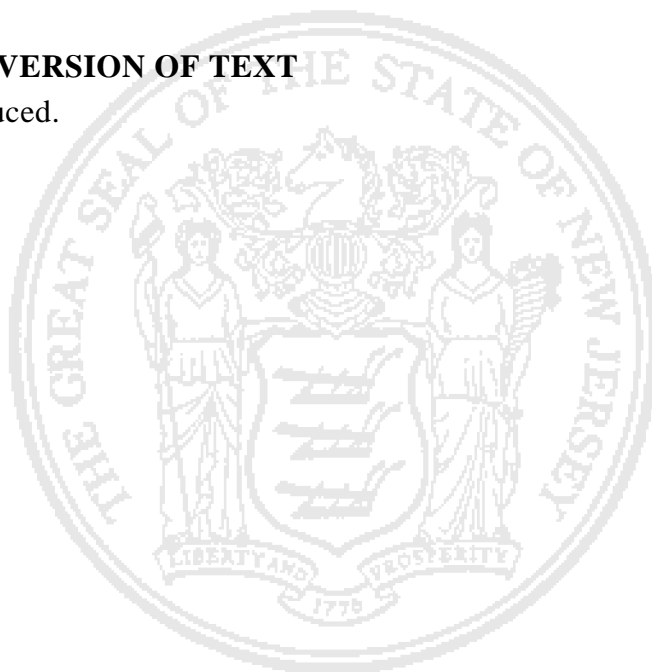
**Assemblyman Roberts, Assemblywomen Friscia, Heck, Assemblyman
Ahearn, Assemblywoman Watson Coleman, Senators Vitale and Rice**

SYNOPSIS

Provides that marriage license applications and marriage licenses shall not contain information on race.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/13/2002)

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23 instructions and explanations thereof as the department may deem
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25 printed and supplied upon request therefor to the local registrars and
26 to the city clerks of cities of the first class.

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37 [race,] birthplace, residence, Social Security number and condition
38 (whether single, widowed or divorced) of each of the married persons,
39 and the names and county of birth of their parents. The Social Security
40 number shall be kept confidential and may only be released for child
41 support enforcement purposes, and shall not be considered a public
42 record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.). The person by
43 whom or the religious society, institution, or organization by or before

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 which, the marriage was solemnized, shall personally or by legally
2 authorized agent subscribe where indicated on the form the date and
3 place of the marriage. Each certificate of marriage shall also contain
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18 and Senior Services shall not contain any inquiries or any information
19 which concerns an applicant's race. The bill also amends R.S.37:1-17
20 to eliminate the requirement that a licensing officer record the race of
21 each of the individuals getting married on a marriage license.

ASSEMBLY FAMILY, WOMEN AND CHILDREN'S SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1753

STATE OF NEW JERSEY

DATED: MARCH 11, 2002

The Assembly Family, Women and Children's Services Committee reports favorably Assembly Bill No. 1753.

This bill eliminates the requirement under current law that applications for marriage licenses contain information on an individual's race.

The bill amends R.S.26:8-27 and R.S.26:8-47 to provide that applications for marriage licenses issued by the Department of Health and Senior Services shall not contain any inquiries or any information which concerns an applicant's race. The bill also amends R.S.37:1-17 to eliminate the requirement that a licensing officer record the race of each of the individuals getting married on a marriage license.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1753

STATE OF NEW JERSEY

DATED: MAY 30, 2002

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 1753.

This bill eliminates the requirement under current law that applications for marriage licenses contain information on an individual's race.

The bill amends R.S.26:8-27 and R.S.26:8-47 to provide that applications for marriage licenses issued by the Department of Health and Senior Services shall not contain any inquiries or any information which concerns an applicant's race. The bill also amends R.S.37:1-17 to eliminate the requirement that a licensing officer record the race of each of the individuals getting married on a marriage license.

This bill is identical to Senate Bill No. 1505 (Vitale/Rice), which the Senate Health, Human Services and Senior Citizens Committee also reported on this date.

SENATE, No. 1505

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED MAY 13, 2002

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator RONALD L. RICE

District 28 (Essex)

SYNOPSIS

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CURRENT VERSION OF TEXT

As introduced.



S1505 VITALE, RICE

2

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