

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2539

03/02/2023 Authored by Carroll and Moller
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to marriage; changing the process by which a person with a felony
1.3 conviction applies for a name change; amending Minnesota Statutes 2022, sections
1.4 259.13, subdivision 1; 517.08, subdivision 1a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 259.13, subdivision 1, is amended to read:

1.7 Subdivision 1. Procedure for seeking name change. (a) A person with a felony
1.8 conviction under Minnesota law or the law of another state or federal jurisdiction shall serve
1.9 a notice of application for a name change on the prosecuting authority that obtained the
1.10 conviction against the person when seeking a name change through one of the following
1.11 procedures:

1.12 (1) an application for a name change under section 259.10; or

1.13 (2) a request for a name change as part of an application for a marriage license under
1.14 section 517.08; or

1.15 (3) (2) a request for a name change in conjunction with a marriage dissolution under
1.16 section 518.27.

1.17 If the conviction is from another state or federal jurisdiction, notice of application must also
1.18 be served on the attorney general.

1.19 (b) A person who seeks a name change under section 259.10 or 518.27 shall file proof
1.20 of service with the court as part of the name change request. A person who seeks a name
1.21 change under section 517.08 shall file proof of service with the county as part of the
1.22 application for a marriage license.

2.1 (c) The name change request may not be granted during the 30-day period provided for  
2.2 in subdivision 2 or, if an objection is filed under subdivision 2, until satisfaction of the  
2.3 requirements in subdivision 3 or 4. Nothing in this section shall delay the granting of a  
2.4 marriage license under section 517.08, which may be granted without the name change.

2.5 Sec. 2. Minnesota Statutes 2022, section 517.08, subdivision 1a, is amended to read:

2.6 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the  
2.7 parties upon a form provided for the purpose and shall contain the following information:

2.8 (1) the full names of the parties and the sex of each party;

2.9 (2) their post office addresses and county and state of residence;

2.10 (3) their full ages;

2.11 (4) if either party has previously been married, the party's married name, and the date,  
2.12 place and court in which the civil marriage was dissolved or annulled or the date and place  
2.13 of death of the former spouse;

2.14 (5) whether the parties are related to each other, and, if so, their relationship;

2.15 (6) the address of the parties after the civil marriage is entered into to which the local  
2.16 registrar shall send a certified copy of the civil marriage certificate;

2.17 (7) the full names the parties will have after the civil marriage is entered into and the  
2.18 parties' Social Security numbers. The Social Security numbers must be collected for the  
2.19 application but must not appear on the civil marriage license. If a party listed on a civil  
2.20 marriage application does not have a Social Security number, the party must certify on the  
2.21 application, or a supplement to the application, that the party does not have a Social Security  
2.22 number;

2.23 (8) ~~if one or both of the parties~~ party to the civil marriage license has a felony conviction  
2.24 under Minnesota law or the law of another state or federal jurisdiction, ~~the parties shall~~  
2.25 ~~provide to the county proof of service upon the prosecuting authority and, if applicable, the~~  
2.26 ~~attorney general, as required by~~ party may not change the party's name through the marriage  
2.27 application process and must follow the process in section 259.13 to change the party's  
2.28 name; and

2.29 (9) notice that a party who has a felony conviction under Minnesota law or the law of  
2.30 another state or federal jurisdiction may not use a different name after a civil marriage  
2.31 except as authorized by section 259.13, and that doing so is a gross misdemeanor.