I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
2017 (FIRST) REGULAR SESSION

Bill No.158 -34 (CUR

Introduced by:

Mary Camacho Torres *MCT*

AN ACT TO *REPEAL* AND *REENACT* § 3108 AND TO *AMEND* § 3202, BOTH OF CHAPTER 3, TITLE 19, GUAM CODE ANNOTATED, RELATIVE TO NAMES ON MARRIAGE LICENSES.

1   **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2   **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds

3   that there is a need to update Guam statute regarding the choices of name upon

4   marriage. It is the intent of *I Liheslaturan Guåhan* to allow a spouse greater

5   options relative to his or her choice of a middle name and a surname, or a surname

6   alone, upon marriage by indicating such election on a marriage license application.

7   **Section 2.** § 3108 of Chapter 3, Title 19, Guam Code Annotated is hereby

8   *repealed* and *re-enacted* to read:

9   "§3108. ~~Choices of Name Upon Marriage.~~

10 ~~Upon entering into a contract of marriage a spouse may elect to retain his or her~~

11 ~~surname before marriage as his or her surname upon marriage. Upon entering into~~

12 ~~a contract of marriage, either spouse may elect to hyphenate his or her surname~~

13 ~~with the surname of the other spouse. Intention of the exercise of said election~~

14 ~~*shall* be indicated upon the marriage license application as provided for by § 3202~~

15 ~~of this Title.~~

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§ 3108. Choices of Name Upon Marriage.

(a) Upon entering into a contract of marriage, a spouse may elect to retain his or her surname before marriage as his or her surname after marriage, or a spouse may elect to adopt any of the following surnames:

    (1) The current surname of the other spouse;

    (2) The surname of either spouse given at birth;

    (3) A combination of surnames; or

    (4) Either spouse may elect to hyphenate his or her surname with the surname of the other spouse.

(b) Upon entering into a contract of marriage a spouse may elect to retain his or her middle name before marriage as his or her middle name after marriage, or a spouse may elect to adopt any of the following middle names:

    (1) The current surname of either spouse.

    (2) The surname of either spouse given at birth.

    (3) A combination of the spouse's current middle name, and the current surname of the other spouse; or

    (4) A combination of the spouse's current middle name and surname.

    (5) A combination of the spouse's current middle name and spouse's surname given at birth; or

    (6) A combination of the spouse's current middle name, and the other spouse's surname given at birth.

(c) An election by a person to change his or her name pursuant to this Section *shall* serve as a record of the name change. A certified copy of a marriage certificate indicating a person's new name, or retaining

1   the former name, *shall* constitute proof that the use of the new name

2   or retention of the former name is lawful."

3 **Section 3.** § 3202(a) of Chapter 3, Title 19, Guam Code Annotated, is hereby

4 *amended* to read:

5   **"§ 3202. Marriage Licenses.**

6   (a)   All persons about to be joined in marriage must first obtain a license

7   therefore, from the Department of Public Health and Social Services,

8   which license shall state:

9   (1) The identity of the parties;

10   (2) Their full names, residence, and place of birth;

11   (3) Their date of birth;

12   (4) Their citizenship;

13   (5) If an alien, whether a resident alien or a non-immigrant alien;

14   (6) The number of previous marriages, wherever contracted and how

15   terminated; the occupations of the parties, the surname of ~~the female~~

16   <u>each</u>, if previously married; the names and birthplaces of each; and

17   the maiden name of the mother of each;

18   (7) Whether a spouse elects to retain his or her surname ~~before marriage~~

19   ~~as his or her surname~~ <u>upon marriage</u> as provided for by § 3108<u>;</u>~~.~~

20   (8) Whether either party elects to hyphenate <u>or change</u> his or her

21   surname ~~with the surname of the other party~~ <u>upon marriage</u> as

22   provided for by § 3108<u>;</u>~~.~~

23   <u>(9) Whether either party elects to retain or change his or her middle</u>

24   <u>name upon marriage as provided for by § 3108;</u>

25   ~~(9)~~ <u>(10)</u> Social Security Number of Each Party. If a party does not have

26   a social security number, he must state that fact~~.~~<u>; and</u>

1   (10) (11) Whether the applicants elect to have their marriage
2   solemnized by a village mayor or vice mayor.
3   **Section 4.   Effective date.** This Act *shall* take effect 180 days after enactment.