
Judiciary Committee

HB 1838

Title: An act relating to surname changes.

Brief Description: Concerning surname changes after the solemnization of a marriage.

Sponsors: Representatives Moeller, Ryu and Jinkins.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Authorizes a new process for surname changes following marriage.
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Hearing Date: 2/20/13

Staff: Cece Clynych (786-7195).

Background:

Court Process for Name Changes.

A person desiring to change his or her name may utilize the name change process in place in the District Court in the county of his or her residence. A petition for name change and a proposed order for name change must be completed. After the petition is completed, it is presented to the court for approval. Following approval, the court issues an order, which is then recorded with the County Auditor.

A certified copy of the name change order is sent to the Center for Health Statistics, located within the Washington State Department of Health and also known as the State Registrar (Registrar). The Registrar is responsible for the registration, preservation, amendment, and release of official state records of all births, deaths, fetal deaths, marriages and divorces that occur in Washington.

Depending upon the desires of the individual who obtained the name change, certified copies of the court's order may be presented to various agencies such as the Department of Licensing (DOL) to change that agency's record of the name.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

There are fees associated with the court name change process, which vary by county. For example, the fees in King County are \$130; Thurston County \$131; and Okanogan County \$165. (Three certified copies are provided in Okanogan, whereas the former two counties provide just one.)

Name Changes Following Marriage.

Before any persons can be married in the state, they must procure a marriage license from a county auditor. Following solemnization of marriage, it is the responsibility of the officiant to provide the county auditor with a marriage certificate for the files of the county and a certificate for the files of the Registrar. The county auditor files, records, and make the transmission to the Registrar.

General guidance found on some county and agency websites indicates that there is no one process or agency that will change or update a name for all agencies. Although a person may be able to utilize a certified copy of the marriage certificate to effectuate a name change, if this is not possible, it is advised that they utilize the district court name change process.

Summary of Bill:

A new procedure is authorized for surname changes following marriage. Either spouse may elect to change his or her surname to:

1. the surname of the other spouse;
2. any former surname of either spouse;
3. a single surname that combines all or a segment of the premarriage surname or any former surname of either spouse; or
4. a combination surname separated by a hyphen as long as each part of the combination surname is the premarriage surname, or any former surname, of either spouse.

After solemnization of marriage, a spouse may present the marriage certificate together with photo identification to the Registrar. Upon presentation, the Registrar must issue a stand-alone certified name change certificate that can then be utilized to change a surname at state and local government offices.

The Registrar is charged with adopting implementation rules.

Persons desiring to change their name due to marriage are excepted from the court process for name changes.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on August 1, 2013.