

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 88**

As Amended by House Committee on  
Judiciary

**Brief\***

SB 88, as amended, would authorize a court to restore the maiden or former name of a party in a divorce action which would be effective at the time of granting the decree or after the decree of divorce becomes final. The bill would require the Judicial Council to develop a standardized form for use by a party seeking to restore a maiden or former name. The party seeking name restoration after a divorce becomes final would not have to pay a docket fee.

In addition, the bill would provide that, at the time of marriage, a person could designate a new legal name which would be recorded on the marriage license. The new legal name would be effective at the time of endorsement of the official who performed the marriage ceremony. A copy of a certified marriage license would serve as proof of identity for a Kansas driver's license or non-driver's identification card.

**Background**

The language starting on page 8, lines 42 and 43 through page 9, lines 1 and 2, is not new language. It merely resolves a conflict that occurred last year.

The proponent of the bill included Senator Barbara Allen and Claudia Alexander, citizen.

There was no testimony in opposition to the bill.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The Senate Committee amended the bill to:

- Clarify that the court has jurisdiction to restore the maiden or former name of a party in a divorce action at any time before or after the decree of divorce becomes final;
- Delete the provision requiring the party seeking name restoration to pay the docket fee charged on post-decree motions; and
- Require the Judicial Council to develop a standardized form for use by a party seeking to restore a maiden or former name.

The House Committee inserted the certified marriage license provisions and changed the wording regarding the effective time when a maiden or former name would be restored.

The fiscal note, based on the original bill, from the Division of Budget states that, according to the Office of Judicial Administration, passage of the bill will probably result in additional motions filed in the court; however, the fiscal effect of the additional filings would be negligible.