

The Name Equality Act of 2007

The Name Equality Act of 2007 (Chapter 567, Statutes of 2007 (AB 102) became effective January 1, 2009, and was amended (Chapter 512, Statutes of 2009 (AB 1143) effective January 1, 2010.

Family Code Section 306.5 provides that at the time the application for a marriage license, one or both parties to the marriage may elect to change the middle or last names, or both, by which that party wishes to be known after solemnization of the marriage by entering that information on the marriage license application.

A person may adopt any of the following **middle names**:

- ◇ The current last name of either spouse
- ◇ The last name of either spouse given at birth
- ◇ A hyphenated combination of the current middle name and the current last name of the person or spouse.
- ◇ A hyphenated combination of the current middle name and the last name given at birth of the person or spouse

A person may adopt any of the following **last names**:

- ◇ The current last name of the other spouse
- ◇ The last name of either spouse given at birth
- ◇ A name combining into a single last name all or a *segment of the current last name or the last name of either spouse given at birth
- ◇ A hyphenated combination of last names

*A segment is a contiguous portion of the name/ it is an identifiable match of a portion of the current last name or the last name given at birth of either spouse (Fields) 1C, 1D, 12C, 12D). The segment may not omit or add new letters and the letters may not be changed around to create an entirely different segment that does not match a portion of the current last name or the last name given at birth of either spouse.

Hyphenated middle and/or last names **may or may not** include an actual hyphen (-) between the names. This should be decided by the party wishing to hyphenate their name.

NOTE: You may *not* change your **first name** using this process. **IMPORTANT:** You *may not* amend the marriage license **after it has been issued** to add or change the name you wish to be known as after you are married. The name you indicate on the marriage license application will be your name on the marriage license/certificate and cannot be changed by the County Clerk.

You are not required to change your name, nor are parties required to have the same name.

If one or both parties do not wish to identify a new name on the marriage license, fields 30A thru 31C, as applicable, on the marriage license will be completed with two single dashes. You may not change the information on the marriage license after it has been issued by the County Clerk.

The marriage certificate is used by multiple local, state, federal and private agencies, each of which have different rules and/or regulations regarding what documents are acceptable to change your name on their records following marriage. It is recommended that you contact these agencies to verify their requirements **prior to applying for your marriage license**.

It is unlawful for our employees to answer questions of a legal nature. County Clerk staff cannot advise you how to complete the marriage license application as it relates to your entry of a new name or retention of your former name on the marriage license application. For your protection, if you have **any** questions regarding whether you should or should not list your new name on the marriage license application, and/or how the Name Equality Act of 2007 may affect you, please consult an attorney **prior to applying for your marriage license**.