

**SB33 INTRODUCED**



1 SB33  
2 PU25GRE-1  
3 By Senator Smitherman  
4 RFD: Judiciary  
5 First Read: 04-Feb-25  
6 PFD: 31-Dec-24



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, the only requirements to enter into a marriage are to complete a marriage document and pay a recording fee.

This bill would require couples seeking to enter into a marriage to complete a premarital conflict resolution class before the marriage may be recorded.

This bill would also require the Administrative Office of Courts to determine minimum requirements for an acceptable premarital conflict resolution class and to create a form to verify class attendance.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to marriage; to amend Section 30-1-9.1, Code of Alabama 1975; to add Section 30-1-9.2 to the Code of Alabama 1975; to provide legislative findings; to require couples seeking to enter into a marriage to complete a premarital conflict resolution class before the marriage may be recorded; and to provide for the duties of the Administrative Office of Courts relating to the premarital conflict resolution class.



## SB33 INTRODUCED

29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. The Legislature finds and declares the  
31 following:

32 (1) About one in four women and one in seven men have  
33 experienced physical violence by their intimate partner at  
34 some point in their lifetimes, according to the Centers for  
35 Disease Control and Prevention;

36 (2) Annually, domestic violence is responsible for over  
37 1,500 deaths in the United States;

38 (3) According to the American Association for Marriage  
39 and Family Therapy, in almost 20 percent of all marriages and  
40 intimate partnerships, couples slap, shove, hit, or otherwise  
41 assault each other. Emotional abuse, such as verbal threats,  
42 degrading remarks, and controlling behavior, is even more  
43 common; and

44 (4) Over 15 million children in the United States live  
45 in households where intimate partner violence has occurred at  
46 least once in the last year.

47 Section 2. Section 30-1-9.1, Code of Alabama 1975, is  
48 amended to read as follows:

49 "§30-1-9.1

50 (a) On August 29, 2019, and thereafter, the only  
51 requirement for a marriage in this state ~~shall be~~ is for  
52 parties who are otherwise legally authorized to be married to  
53 enter into a marriage as provided in this section. However,  
54 the judge of probate shall continue to collect the recording  
55 fee provided for in ~~subdivision (32) of subsection (b) of~~  
56 Section 12-19-90 (b) (32) for each marriage recorded with the



## SB33 INTRODUCED

57 judge of probate. Furthermore, at the time the marriage is  
58 recorded, the judge of probate shall also collect the fee  
59 provided for in Section 30-6-11, to be distributed as provided  
60 in that section.

61 (b) The marriage document required to be executed by  
62 the parties shall contain information to identify the parties  
63 as set forth in Section 22-9A-6, as well as the following  
64 minimum information:

65 (1) The full legal names of both of the parties.

66 (2) A notarized affidavit from each party declaring all  
67 of the following:

68 a. The affiant is not currently married.

69 b.1. The affiant is at least 18 years of age; or

70 2. The affiant is at least 16 and under 18 years of age  
71 and has the consent of a parent or guardian.

72 c. The affiant is legally competent to enter into a  
73 marriage.

74 d. The parties are not related by blood or adoption  
75 such that the marriage would violate Section 13A-13-3.

76 e. The affiant is entering into the marriage  
77 voluntarily and of his or her own free will and not under  
78 duress or undue influence.

79 f. On January 1, 2026, and thereafter, verification  
80 that the parties have completed the premarital conflict  
81 resolution class as provided in Section 30-1-9.2.

82 (3) The signatures of the parties.

83 (c) A marriage conforming to the requirements of this  
84 section shall be valid on the date the marriage is executed by



## SB33 INTRODUCED

85 both parties, provided the affidavits, forms, and data are  
86 recorded in the office of the judge of probate within 30 days  
87 of the date of the last party's signature in accordance with  
88 Section 22-9A-17.

89 (d) A civil and independent or religious ceremony of  
90 marriage, celebration of marriage, solemnization of marriage,  
91 or any other officiation, or administration of the vows of  
92 marriage may be conducted or engaged in by the parties by an  
93 officiant or other presiding person to be selected by the  
94 persons entering into the marriage. The state ~~shall have~~ has  
95 no requirement for any ceremony or proceeding and whether or  
96 not a ceremony or proceeding is performed or not performed  
97 ~~shall have~~ has no legal effect on the validity of the  
98 marriage.

99 (e) The affidavits, forms, and data shall be filed in  
100 the office of the judge of probate and shall constitute a  
101 legal record of the marriage of the parties. The office of the  
102 judge of probate shall transmit a ~~A~~ copy of the form provided  
103 by the Office of Vital Statistics ~~shall be transmitted by the~~  
104 ~~office of the judge of probate~~ to the Office of Vital  
105 Statistics and made a part of its record.

106 (f) This section shall not affect any other legal  
107 aspects of marriage in this state, including, but not limited  
108 to, divorce, spousal support, child custody, or child support.

109 (g) All requirements to obtain a marriage license by  
110 the State of Alabama are abolished and repealed. The  
111 requirement of a ceremony of marriage to solemnize the  
112 marriage is abolished.



## SB33 INTRODUCED

113 (h) The Alabama Law Institute, a division of the  
114 Legislative Services Agency, in collaboration with the  
115 Department of Public Health, shall prepare a form to meet the  
116 minimum requirements of Act 2019-340."

117 Section 3. Section 30-1-9.2 is added to the Code of  
118 Alabama 1975, to read as follows:

119 §30-1-9.2

120 (a) On January 1, 2026, and thereafter, in order to  
121 enter into a marriage, both parties to the marriage shall  
122 jointly attend at least one premarital conflict resolution  
123 class.

124 (b) The Administrative Office of Courts:

125 (1) Shall determine what, if any, minimum requirements  
126 a premarital conflict resolution class must meet in order to  
127 satisfy this section;

128 (2) Shall develop a verification form, to be submitted  
129 with the affidavit required by Section 30-1-9.1, documenting  
130 the parties' attendance of the premarital conflict resolution  
131 class; and

132 (3) May develop and publish a list of acceptable  
133 premarital conflict resolution classes for parties seeking to  
134 enter into a marriage.

135 (c) Before a marriage may be recorded, the judge of  
136 probate shall verify that both parties to the marriage jointly  
137 attended at least one conflict resolution class that meets the  
138 requirements set by the Administrative Office of Courts.

139 Section 4. This act shall become effective on October  
140 1, 2025.