

2020 -- S 2611

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES

Introduced By: Senators de la Cruz, Rogers, Paolino, and Raptakis

Date Introduced: February 25, 2020

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 15-3-5 of the General Laws in Chapter 15-3 entitled "Solemnization
2 of Marriages" is hereby amended to read as follows:

3 **15-3-5. Officials empowered to join persons in marriage.**

4 (a) Every ordained clergy or elder in good standing; every justice of the supreme court,
5 superior court, family court, workers' compensation court, district court or traffic tribunal; the clerk
6 of the supreme court; every clerk, administrative clerk, or general chief clerk of a superior court,
7 family court, district court, or traffic tribunal; magistrates, special or general magistrates of the
8 superior court, family court, traffic tribunal or district court; administrative clerks of the district
9 court; administrators of the workers' compensation court; every former justice or judge and former
10 administrator of these courts; every former chief clerk of the district court; every former clerk,
11 administrative clerk, or general chief clerk of a superior court; the secretary of the senate; elected
12 clerks of the general assembly; any former secretary of the senate; any former elected clerk of the
13 general assembly who retires after July 1, 2007; judges of the United States appointed pursuant to
14 Article III of the United States Constitution; bankruptcy judges appointed pursuant to Article I of
15 the United States Constitution; and United States magistrate judges appointed pursuant to federal
16 law, may join persons in marriage in any city or town in this state; and every justice and every
17 former justice of the municipal courts of the cities and towns in this state and of the police court of
18 the town of Johnston and the administrator of the Johnston municipal court, while he or she is
19 serving as an administrator, and every probate judge and every former probate judge may join

1 persons in marriage in any city or town in this state, and wardens of the town of New Shoreham
2 may join persons in marriage in New Shoreham.

3 (b) Every city or town clerk or assistant clerk may join persons in marriage. They may also,
4 in their ministerial capacity, designate another person to solemnize a particular marriage chosen by
5 the prospective marriage partners, on a particular date, and in a particular city or town. For just
6 cause, that designation may be revoked by the clerk.

7 (c) Parties who seek to have the city or town clerk or their assistant, perform a marriage
8 shall pay a fee of fifty dollars (\$50.00) to the marriage licensing municipality. Parties who seek to
9 have a clerk designate a person to solemnize their marriage, shall pay a fee of one hundred dollars
10 (\$100) to the marriage licensing municipality.

11 (d) The general assembly and the governor shall be expressly prohibited from authorizing
12 persons, not listed in this section, to perform individualized solemnization of marriages.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO DOMESTIC RELATIONS -- SOLEMNIZATION OF MARRIAGES

1 This act would prohibit the general assembly and the governor from authorizing persons,
2 not expressly empowered to perform solemnization of marriage, to perform marriages. It would
3 also allow city and town clerks and their assistant clerks to perform weddings and to also designate
4 others to perform marriages chosen by the prospective marriage partners.

5 This act would take effect upon passage.

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