

2019 -- H 5238

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO DOMESTIC RELATIONS - SOLEMNIZATION OF MARRIAGES

Introduced By: Representatives Kazarian, Amore, Serodio, Carson, and Shekarchi

Date Introduced: January 30, 2019

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

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

3 (b) The governor may also, in his or her discretion, designate a justice of the peace in  
4 each city or town, or more than one justice of the peace in each city or town, not to exceed one  
5 for every five thousand (5,000) inhabitants of a city or town, as he or she considers expedient, to  
6 solemnize marriages, and may for just cause at any time revoke the designation.

7 (c) The secretary of state shall issue a certificate of designation upon payment of twenty-  
8 five dollars (\$25.00) by the justice of peace designated pursuant to subsection (b) of this section,  
9 who is also a clerk or an assistant clerk of a city or town. The fee shall be fifty dollars (\$50.00) by  
10 any other justice that is designated.

11 (d) In addition to the foregoing, the governor may designate any other person to  
12 solemnize a particular marriage on a particular date and in a particular city or town, and may for  
13 cause revoke that designation. The secretary of state shall issue a certificate of designation upon  
14 payment of twenty-five dollars (\$25.00). The payment of twenty-five dollars (\$25.00) shall be for  
15 applications delivered by mail, facsimile or hand. All applications submitted electronically shall  
16 pay a fee of twenty dollars (\$20.00). Upon payment, a certificate of designation shall be issued.  
17 The certificate shall expire upon completion of the solemnization.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO DOMESTIC RELATIONS - SOLEMNIZATION OF MARRIAGES

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1           This act would authorize the governor in his or her discretion to designate a justice of the  
2 peace in each town or city, as considered expedient, to solemnize marriages. It would also allow  
3 the governor to designate any other person to solemnize a particular marriage on a particular date.  
4 There would be a fee to obtain a certificate of designation, whether the application is submitted  
5 by mail, hand, facsimile or electronically.

6           This act would take effect upon passage.

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