

ASSEMBLY, No. 3398

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:

Assemblyman JON M. BRAMNICK

District 21 (Morris, Somerset and Union)

SYNOPSIS

Authorizes members of the New Jersey State Legislature to solemnize marriages and civil unions.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning solemnization of marriages and amending
2 R.S.37:1-13.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. R.S.37:1-13 is amended to read as follows:

8 37:1-13. Authorization to solemnize marriages and civil unions.

9 Each judge of the United States Court of Appeals for the Third
10 Circuit, each judge of a federal district court, United States
11 magistrate, judge of a municipal court, judge of the Superior Court,
12 judge of the Tax Court, administrative law judge, retired judge of
13 the Superior Court or Tax Court, retired administrative law judge,
14 or judge of the Superior Court or Tax Court, the former County
15 Court, the former County Juvenile and Domestic Relations Court,
16 or the former County District Court who has resigned in good
17 standing, surrogate of any county, county clerk, and any mayor or
18 former mayor not currently serving on the municipal governing
19 body or the deputy mayor when authorized by the mayor, or
20 chairman of any township committee or village president of this
21 State, every current member of the New Jersey State Legislature
22 while that person holds office, every member of the clergy of every
23 religion, and any civil celebrant who is certified by the Secretary of
24 State to solemnize marriages or civil unions as set forth in
25 subsection b. of this section, are hereby authorized to solemnize
26 marriages or civil unions between such persons as may lawfully
27 enter into the matrimonial relation or civil union; and every
28 religious society, institution or organization in this State may join
29 together in marriage or civil union such persons according to the
30 rules and customs of the society, institution or organization.

31 b. A civil celebrant shall be authorized to solemnize marriages
32 or civil unions if certified to do so by the Secretary of State.

33 (1) A civil celebrant shall receive a certification from the
34 Secretary of State to solemnize marriages or civil unions if the
35 celebrant:

36 (a) is at least 18 years of age and has graduated from a
37 secondary school in this State or another state;

38 (b) has completed a civil celebrant course offered by a non-
39 denominational or educational charitable organization that is
40 registered with the State under the "Charitable Registration and
41 Investigation Act," P.L.1994, c.16 (C.45:17A-18 et seq.), and which
42 course:

43 (i) includes classes that meet weekly or with more frequency,
44 either administered in person or by other means, over a period of
45 not less than six months; and

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (ii) educates on topics including, but not limited to, celebrant
2 philosophy and history, ceremonial structure, and ceremonial
3 presentations; and

4 (c) (i) submits a completed application form, developed by the
5 secretary pursuant to regulation, which includes the name and
6 address of the celebrant-applicant along with any other relevant
7 information on the celebrant-applicant required by the secretary,
8 and supporting documentation with respect to all certification
9 requirements set forth in this subsection; and

10 (ii) pays to the Department of State, at the time of submitting the
11 completed application, a fee of not less than \$50 or more than \$75,
12 as determined by the secretary by regulation, to cover costs for
13 processing applications, producing and issuing certificates, and
14 maintaining records on applications and certificates issued or
15 denied.

16 (2) (a) A celebrant-applicant shall not be authorized to
17 solemnize marriages or civil unions until the application for
18 certification is approved and the certificate received from the
19 secretary.

20 (b) A civil celebrant who has received a certification from the
21 secretary may have that certification revoked, through a hearing
22 before an administrative law judge, if the secretary determines that
23 any information provided in the celebrant's application was
24 inaccurate or otherwise did not comply with the certification
25 requirements set forth in this subsection. A civil celebrant subject
26 to a revocation hearing before an administrative law judge or any
27 appeal thereof shall not be authorized to solemnize marriages or
28 civil unions, and shall only again be authorized to do so if a final
29 determination is made permitting the civil celebrant to retain the
30 certification.

31 (cf: P.L.2016, c.61)

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33 2. This act shall take effect immediately.

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STATEMENT

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38 This bill adds members of the New Jersey State Legislature to
39 persons permitted to solemnize marriages. The bill permits every
40 current member to solemnize marriages or civil unions while that
41 person holds office.