

ASSEMBLY, No. 3767

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Broadens statute allowing proxy marriage for members of the military to encompass members stationed or deployed overseas or serving in a conflict or war.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning proxy marriage for certain members of the
2 military and amending P.L.2011, c.179.

3

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

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7 1. Section 7 of P.L.2011, c.179 (C.37:1-17.3) is amended to
8 read as follows:

9 7. A member of the Armed Forces of the United States or the
10 National Guard who is stationed or deployed overseas **[and]** or
11 serving in a conflict or a war and is unable to appear for the
12 licensure and solemnization of his marriage or civil union may enter
13 into that marriage or civil union by the appearance of an attorney-
14 in-fact, commissioned and empowered in writing for that purpose
15 through a power of attorney. The attorney-in-fact must personally
16 appear before the licensing officer with the person who is not
17 **[serving]** stationed or deployed overseas or serving in a conflict or
18 a war, and present the original power of attorney duly signed by the
19 party who is stationed or deployed overseas or serving in a conflict
20 or a war and acknowledged by a notary or witnessed by two officers
21 of the United States Armed Forces or the National Guard. The
22 power of attorney shall state the legal names of the parties to be
23 married or to enter into a civil union, and shall state that the power
24 of attorney is solely for the purpose of authorizing the attorney-in-
25 fact to obtain a marriage or civil union license on the person's
26 behalf and to participate in the solemnization of the marriage or
27 civil union. The original power of attorney shall be a part of the
28 marriage or civil union certificate upon registration.

29 (cf: P.L.2011, c.179, s.7)

30

31 2. This act shall take effect immediately.

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33

34 STATEMENT

35

36 This bill would broaden the statute that allows proxy marriage
37 for certain members of the military.

38 Currently, a member of the Armed Forces of the United States or
39 the National Guard who is stationed overseas and serving in a
40 conflict or a war and is unable to appear for the licensure and
41 solemnization of his marriage or civil union may enter into that
42 marriage or civil union by the appearance of an attorney-in-fact,
43 commissioned and empowered in writing for that purpose through a
44 power of attorney. The attorney-in-fact must personally appear
45 before the licensing officer with the person who is not serving

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 overseas, and present the original power of attorney duly signed by
2 the party stationed overseas and acknowledged by a notary or
3 witnessed by two officers of the United States Armed Forces or the
4 National Guard.

5 The power of attorney must state the legal names of the parties to
6 be married or to enter into a civil union, and state that it is solely
7 for the purpose of authorizing the attorney-in-fact to obtain a
8 marriage or civil union license on the person's behalf and to
9 participate in the solemnization of the marriage or civil union.

10 Under the bill, members of the military who are unable to appear
11 for the licensing and solemnization of their marriage or civil union
12 could do so by proxy if they are: (1) either stationed or deployed
13 overseas; or (2) if they are serving in a conflict or war.