

SENATE, No. 2219

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MARCH 16, 2020

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

SYNOPSIS

Provides for immediate issuance of marriage and civil union licenses; provides for 72 hour waiting period prior to ceremony.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning marriage and civil union licenses, and
2 amending R.S.37:1-4.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.37:1-4 is amended to read as follows:

8 37:1-4. Issuance of marriage or civil union license,
9 emergencies, validity.

10 The marriage or civil union license shall **[not]** be issued by a
11 licensing officer **[sooner than 72 hours after]** immediately upon the
12 filing of the application **[therefor has been made; provided,**
13 **however, that the Superior Court may, by order, waive all or any**
14 **part of said 72-hour period in cases of emergency, upon satisfactory**
15 **proof being shown to it. Said order shall be filed with the licensing**
16 **officer and attached to the application for the license]**.

17 The marriage or civil union ceremony may not take place during
18 the 72-hour period immediately following the issuance of the
19 marriage or civil union license ; provided, however, that:

20 a. the Superior Court may, by order, waive all or any part of
21 said 72-hour period in cases of emergency, upon satisfactory proof
22 being shown to it. Said order shall be filed with the licensing officer
23 and attached to the application for the license; and

24 b. said 72-hour period shall not apply to an applicant who is an
25 active duty member of the Armed Forces of the United States or the
26 National Guard.

27 A marriage or civil union license, when properly issued as
28 provided in this article, shall be good and valid only for 30 days
29 after the date of the issuance thereof.

30 (cf: P.L.2018, c.42, s.1)

31
32 2. This act shall take effect immediately.

33
34
35 STATEMENT

36
37 Under current law, after a couple applies for a marriage or civil
38 union license there is a 72-hour waiting period before the license
39 can be issued. However, under current law the Superior Court may,
40 by order, waive all or any part of said 72-hour period in cases of
41 emergency, upon satisfactory proof being shown.

42 This bill would provide that a marriage or civil union license
43 would be issued immediately upon filing the application. However,
44 individuals would still be required to wait 72 hours before the
45 marriage or civil union ceremony could be performed. The intent of

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 the bill is not to change the current 72-hour waiting period before
2 the ceremony can occur, but to save couples the additional trip to
3 the licensing officer to pick up the license.

4 The bill also provides an exception to the 72-hour waiting period
5 for an active duty member of the Armed Forces of the United States
6 and the National Guard.