

S.169

An act relating to nonresident clergy authorized to solemnize marriages

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 5144 is amended to read:

§ 5144. PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGE

(a) Marriages may be solemnized by:

(1) a Supreme Court Justice, a Superior judge, a judge of Probate, an assistant judge, a justice of the peace, a magistrate, a Judicial Bureau hearing officer, or an individual who has registered as ~~an~~ a temporary officiant with the Vermont Secretary of State pursuant to section 5144a of this title;

(2) a member of the clergy ~~residing in this State and~~ ordained or, licensed, or otherwise regularly authorized ~~thereunto~~ by the published laws or discipline of the general conference, convention, or other authority of his or her faith or denomination, ~~or by such a clergy person residing in an adjoining state or country~~ who:

(A) resides in this State;

(B) resides in New Hampshire, Massachusetts, or New York or in the adjacent province of Quebec, Canada, whose parish, church, temple, mosque, or other religious organization lies wholly or in part in this State, ~~or by a member of the clergy residing~~; or

(C) resides in some other state of the United States or in ~~the~~ Dominion of Canada and whose parish, church, temple, mosque, or other

religious organization lies wholly outside this State, provided he or she has first secured from the Probate Division of the Superior Court in the unit within which the marriage is to be solemnized a special authorization, authorizing him or her to certify the marriage if the Probate judge determines that the circumstances make the special authorization desirable.

(b) Marriage among the Friends or Quakers, the Christadelphian Ecclesia, and the Baha'i Faith may be solemnized in the manner ~~heretofore~~ used in such societies.

~~(b)~~(c) This section does not require a member of the clergy authorized to solemnize a marriage as set forth in subsection (a) of this section, nor societies of Friends or Quakers, the Christadelphian Ecclesia, or the Baha'i Faith to solemnize any marriage, and any refusal to do so shall not create any civil claim or cause of action.

Sec. 2. [Deleted.]

Sec. 3. 32 V.S.A. § 1434 is amended to read:

§ 1434. PROBATE CASES

(a) The following entry fees shall be paid to the Probate Division of the Superior Court for the benefit of the State, except for subdivisions (18) and (19) of this subsection, which shall be for the benefit of the county in which the fee was collected:

\* \* \*

(21) Orders of authorization pursuant to 18 V.S.A. § 5144(a)(2)(C)

\$50.00

\* \* \*

Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.