# CS FOR HOUSE BILL NO. 20(JUD)

## IN THE LEGISLATURE OF THE STATE OF ALASKA

## THIRTIETH LEGISLATURE - FIRST SESSION

#### BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/15/17 Referred: Rules

Sponsor(s): REPRESENTATIVE CLAMAN

#### A BILL

# FOR AN ACT ENTITLED

- 1 "An Act relating to marriage solemnization; and authorizing elected public officials in
- 2 the state to solemnize marriages."

### 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

- \* **Section 1.** AS 25.05.261(a) is amended to read:
- 5 (a) Marriages may be solemnized
- 6 (1) by a minister, priest, or rabbi of any church or congregation in the 7 state, or by a commissioned officer of the Salvation Army, or by the principal officer 8 or elder of recognized churches or congregations that traditionally do not have regular
- 9 ministers, priests, or rabbis, anywhere within the state;
- 10 (2) by a marriage commissioner or judicial officer of the state 11 anywhere within the jurisdiction of the commissioner or officer; [OR]
- 12 (3) before or in any religious organization or congregation according to
- the established ritual or form commonly practiced in the organization or congregation:

14 <u>or</u>

1	(4) by an individual holding an elective public office in the state.
2	* Sec. 2. AS 25.05.261 is amended by adding a new subsection to read:
3	(c) Nothing in this section creates or implies a duty or obligation on a person
4	authorized to solemnize a marriage under (a)(1), (3), or (4) of this section to solemnize
5	any marriage.
6	* Sec. 3. AS 25.05.281 is amended to read:
7	Sec. 25.05.281. Marriage solemnized by unauthorized person. After a
8	license has been obtained, a marriage solemnized before a person professing to be a
9	person authorized to solemnize marriages in the state under AS 25.05.261(a)
10	[MINISTER, PRIEST, OR RABBI OF A CHURCH OR CONGREGATION IN THE
11	STATE OR A JUDICIAL OFFICER OR MARRIAGE COMMISSIONER] is valid
12	regardless of a lack of power or authority in the person, if the marriage is
13	consummated with a belief on the part of the persons so married, or either of them,

that they have been lawfully joined in marriage.

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