

# ASSEMBLY, No. 583

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Assemblyman STERLEY S. STANLEY**

**District 18 (Middlesex)**

**Assemblyman JOE DANIELSEN**

**District 17 (Middlesex and Somerset)**

**Co-Sponsored by:**

**Assemblyman Atkins**

**SYNOPSIS**

Permits deputy clerks to perform marriages.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the duties of deputy clerks of counties and  
2 municipalities and amending R.S.37:1-13.

3

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

6

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

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

10 **[Each]** The following persons are hereby authorized to  
11 solemnize marriages or civil unions between such persons as may  
12 lawfully enter into the matrimonial relation or civil union:

13 (1) any judge of the United States Court of Appeals for the Third  
14 Circuit**[,]**;

15 **[each]** (2) any judge of a federal district court**[,]**;

16 (3) any United States magistrate**[,]** judge;

17 (4) any judge of a municipal court**[,]**;

18 (5) any judge of the Superior Court**[,]**;

19 (6) any judge of the Tax Court**[,]**;

20 (7) any administrative law judge**[,]**;

21 (8) any retired judge of the Superior Court or Tax Court**[,]**;

22 (9) any retired administrative law judge**[,]**, or judge of the  
23 Superior Court or Tax Court**[,]**;

24 (10) any judge of the former County Court, the former County  
25 Juvenile and Domestic Relations Court, or the former County  
26 District Court who has resigned in good standing**[,]**;

27 (11) a surrogate of any county**[,]**;

28 (12) any county clerk, or deputy county clerk;

29 **[and]** (13) any mayor or former mayor not currently serving on  
30 the municipal governing body or the deputy mayor when authorized  
31 by the mayor**[,]**;

32 **[or]** (14) the chairman of any township committee or village  
33 president of this State**[,]**;

34 **[every]** (15) any member of the clergy of **[every]** any  
35 religion**[,]**; and

36 (16) any civil celebrant who is certified by the Secretary of State  
37 to solemnize marriages or civil unions as set forth in subsection b.  
38 of this section**[,]**, are hereby authorized to solemnize marriages or  
39 civil unions between such persons as may lawfully enter into the  
40 matrimonial relation or civil union; and every**[,]**.

41 Every religious society, institution, or organization in this State  
42 may join together in marriage or civil union such persons according  
43 to the rules and customs of the society, institution or organization.

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

3       (1) A civil celebrant shall receive a certification from the  
4 Secretary of State to solemnize marriages or civil unions if the  
5 celebrant:

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

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

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

16       (ii) educates on topics including, but not limited to, celebrant  
17 philosophy and history, ceremonial structure, and ceremonial  
18 presentations; and

19       (c) (i) submits a completed application form, developed by the  
20 secretary pursuant to regulation, which includes the name and  
21 address of the celebrant-applicant along with any other relevant  
22 information on the celebrant-applicant required by the secretary,  
23 and supporting documentation with respect to all certification  
24 requirements set forth in this subsection; and

25       (ii) pays to the Department of State, at the time of submitting the  
26 completed application, a fee of not less than \$50 or more than \$75,  
27 as determined by the secretary by regulation, to cover costs for  
28 processing applications, producing and issuing certificates, and  
29 maintaining records on applications and certificates issued or  
30 denied.

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

34       (b) A civil celebrant who has received a certification from the  
35 secretary may have that certification revoked, through a hearing  
36 before an administrative law judge, if the secretary determines that  
37 any information provided in the celebrant's application was  
38 inaccurate or otherwise did not comply with the certification  
39 requirements set forth in this subsection. A civil celebrant subject  
40 to a revocation hearing before an administrative law judge or any  
41 appeal thereof shall not be authorized to solemnize marriages or  
42 civil unions, and shall only again be authorized to do so if a final  
43 determination is made permitting the civil celebrant to retain the  
44 certification.

45 (cf: P.L.2016, c.61, s.1)

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47       2. This act shall take effect immediately.

