

[First Reprint]

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:

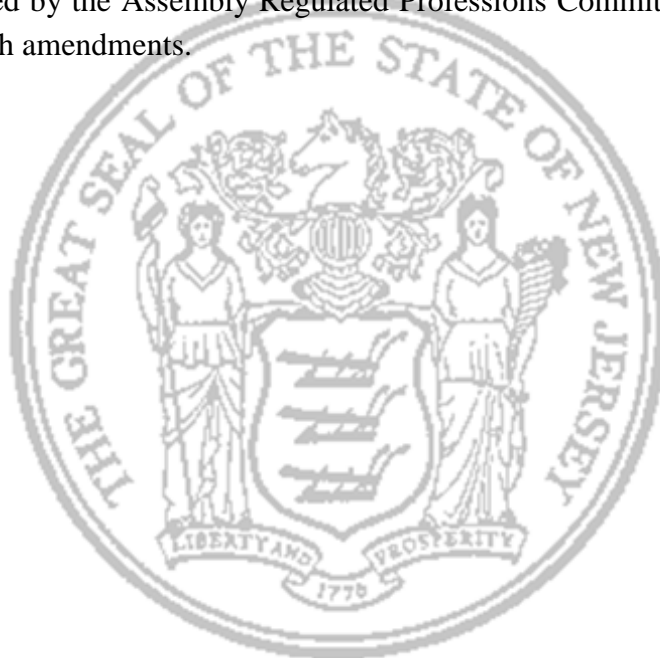
Assemblyman Atkins, Assemblywomen Speight and Carter

SYNOPSIS

Permits deputy county clerks and municipal clerks to perform marriages and civil unions.

CURRENT VERSION OF TEXT

As reported by the Assembly Regulated Professions Committee on October 24, 2024, with amendments.



(Sponsorship Updated As Of: 11/14/2024)

1 AN ACT concerning ¹**[the duties of deputy clerks of counties and**
2 **municipalities]** the solemnization of marriages and civil unions¹
3 and amending R.S.37:1-13.

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

7
8 ¹**[1.R.S.37:1-13 is amended to read as follows:**
9 37:1-13. a. Authorization to solemnize marriages and civil
10 unions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted October 24, 2024.

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

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

6 (1) A civil celebrant shall receive a certification from the
7 Secretary of State to solemnize marriages or civil unions if the
8 celebrant:

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

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

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

19 (ii) educates on topics including, but not limited to, celebrant
20 philosophy and history, ceremonial structure, and ceremonial
21 presentations; and

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

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

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

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

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

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

2 37:1-13. a. Authorization to solemnize marriages and civil
3 unions.

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5 solemnize marriages or civil unions between such persons as may
6 lawfully enter into the matrimonial relation or civil union:

7 (1) any judge of the United States Court of Appeals for the Third
8 Circuit**【,】**;

9 **【each】** (2) any judge of a federal district court**【,】**;

10 (3) any United States magistrate**【,】** judge;

11 (4) any judge of a municipal court**【,】**;

12 (5) any judge of the Superior Court**【,】**;

13 (6) any judge of the Tax Court**【,】**;

14 (7) any administrative law judge**【,】**;

15 (8) any retired judge of the Superior Court or Tax Court**【,】**;

16 (9) any retired administrative law judge**【,】** or judge of the
17 Superior Court or Tax Court**【,】**;

18 (10) any judge of the former County Court, the former County
19 Juvenile and Domestic Relations Court, or the former County
20 District Court who has resigned in good standing**【,】**;

21 (11) a surrogate of any county**【,】**;

22 (12) any county clerk, deputy county clerk, or municipal clerk;

23 **【and】** (13) any mayor or former mayor not currently serving on
24 the municipal governing body or the deputy mayor when authorized
25 by the mayor**【,】**;

26 **【or】** (14) the chairman of any township committee or village
27 president of this State**【,】**;

28 **【every】** (15) any member of the clergy of **【every】** any
29 religion**【,】**; and

30 (16) any civil celebrant who is certified by the Secretary of State
31 to solemnize marriages or civil unions as set forth in subsection b.
32 of this section**【,】** are hereby authorized to solemnize marriages or
33 civil unions between such persons as may lawfully enter into the
34 matrimonial relation or civil union; and every**【,】**.

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2 Investigation Act," P.L.1994, c.16 (C.45:17A-18 et seq.), and which
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33 appeal thereof shall not be authorized to solemnize marriages or
34 civil unions, and shall only again be authorized to do so if a final
35 determination is made permitting the civil celebrant to retain the
36 certification.¹

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

38

39 2. This act shall take effect immediately.