

SENATE, No. 3363

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 3, 2024

Sponsored by:

Senator VINCENT J. POLISTINA

District 2 (Atlantic)

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.



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

3

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

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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 the
21 72-hour period in cases of emergency, upon satisfactory proof being
22 shown to it. The order shall be filed with the licensing officer and
23 attached to the application for the license; and

24 b. the 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)

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32 2. This act shall take effect immediately.

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STATEMENT

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37 This bill requires a marriage or civil union license be issued
38 immediately upon application, but continues to require a 72-hour
39 waiting period.

40 Under current law, after a couple applies for a marriage or civil
41 union license there is a 72-hour waiting period before the license
42 can be issued by the licensing officer. The Superior Court may, by
43 order, waive all or any part of the 72-hour period in cases of
44 emergency, upon satisfactory proof being shown.

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.

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1 This bill would provide that a marriage or civil union license
2 would be issued by the licensing officer immediately upon filing the
3 application. However, individuals would still be required to wait 72
4 hours before the marriage or civil union ceremony could be
5 performed. The intent of the bill is not to change the current 72-
6 hour waiting period before the ceremony can occur, but to save
7 couples the additional trip to the licensing officer to pick up the
8 license.

9 The bill provides that all or part of the 72-hour waiting period
10 between issuance of the license and the marriage or civil union
11 ceremony could be waived by order of the Superior Court in cases
12 of emergency, upon satisfactory proof being shown. The bill also
13 provides that the 72-hour waiting period between issuance of the
14 license and the ceremony would not apply to an applicant who is an
15 active duty member of the Armed Forces of the United States or the
16 National Guard.