
Judiciary Committee

HB 1221

Title: An act relating to the solemnization of marriages by commissioners of courts of limited jurisdiction.

Brief Description: Concerning the solemnization of marriages by commissioners of courts of limited jurisdiction.

Sponsors: Representatives Rodne, Goodman, Klippert, Kilduff, Jenkins, Barkis, Muri and Hudgins.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Authorizes commissioners of limited jurisdiction courts to solemnize marriages.

Hearing Date: 1/17/17

Staff: Audrey Frey (786-7289).

Background:

Marriage is a civil contract between two persons who are each age 18 or older and who are otherwise capable. There is no particular form required for the solemnization of a marriage, except that the parties must assent to the marriage in the presence of an authorized person and two witnesses.

Persons authorized to solemnize marriages include active or retired judicial officers and officials of religious organizations. Authorized judicial officers are judges of the Washington Supreme Court, Court of Appeals, superior courts, and limited jurisdiction courts, as well as commissioners of the Washington Supreme Court, Court of Appeals, or superior courts. Authorized religious officials include any licensed or ordained minister, priest, imam, rabbi, or similar official of a religious organization.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A person who solemnizes a marriage must deliver, within 30 days after the marriage, a certificate of the marriage to the county auditor and to the state registrar of vital statistics.

Courts of limited jurisdiction include district and municipal courts. District courts are county courts and serve defined territories within counties. Municipal courts are courts created by cities and towns.

District and municipal court judges may appoint commissioners. Commissioners are usually attorneys licensed to practice in Washington. Working under the direction of a judge, commissioners assume many of the same powers and duties of a judge. Most courts employ commissioners to ease the judges' caseloads.

Summary of Bill:

Commissioners of limited jurisdiction courts are authorized to solemnize marriages.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.