

SENATE BILL REPORT

HB 1221

As of February 5, 2018

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, Jinkins, Barkis, Muri and Hudgins.

Brief History: Passed House: 2/09/17, 93-5; 1/18/18, 87-9.

Committee Activity: Law & Justice: 2/01/18.

Brief Summary of Bill

- Authorizes the commissioners of courts of limited jurisdiction to solemnize marriages.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Melissa Burke-Cain (786-7755)

Background: District and municipal courts are courts of limited jurisdiction. District and municipal court judges serve four-year terms. The district and municipal court judges may appoint commissioners. A commissioner must be either a lawyer who is admitted to practice law in Washington, or a person who has passed the qualifying examination for lay judges in Washington. Under current law, these courts adjudicate:

- misdemeanor criminal cases;
- traffic, non-traffic, and parking infractions;
- domestic violence protection orders;
- civil actions of \$100,000 or less; and
- small claims up to \$5,000.

A state law defines the officers and persons authorized to solemnize marriages. They may be active or retired. Authorized persons, are:

- supreme court justices;

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- judges of the court of appeals, superior courts, courts of limited jurisdiction as defined in RCW 3.02.010, and judges of tribal courts from a federally recognized tribe;
- commissioners of the supreme court, court of appeals, and superior court; and
- any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization.

Summary of Bill: A commissioner of a court of limited jurisdiction is authorized to solemnize marriages.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony: PRO: This bill is a carry-over from last session. It would allow the district court and municipal court commissioners to perform marriages. These commissioners are the only ones excluded from performing marriages. The supreme court, court of appeals, and superior court commissioners are all currently authorized to perform marriages.

Persons Testifying: PRO: Melanie Stewart, District and Municipal Court Judges Association.

Persons Signed In To Testify But Not Testifying: No one.