

# SENATE BILL REPORT

## SB 6184

---

As of January 28, 2020

**Title:** An act relating to marriage licensing and solemnization by county auditors.

**Brief Description:** Concerning marriage licensing and solemnization by county auditors.

**Sponsors:** Senators Randall, Dhingra, Hunt, Saldaña, Pedersen, Rolfes, Das, Mullet, Salomon and Wilson, C.

**Brief History:**

**Committee Activity:** Law & Justice: 1/27/20.

**Brief Summary of Bill**

- Adds active or retired county auditors to the list of officers authorized to solemnize marriages.
- Strikes the mandatory three-day waiting period for issuing and using a marriage license.

---

### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** Under current law, persons planning marriage complete a uniform state marriage license application and may file it either in person or by mail at the auditor's office in the county where the marriage will occur. Before the license may be used, there is a three-day waiting period. The auditor may issue the license at any time in the three-day period. Washington is one of a minority of states requiring a waiting period after filing a marriage license application, which cannot be waived. In earlier versions of the state law, the waiting period was called a three-day notice of intention. The county auditor was required to maintain a separate, publicly-accessible file of the marriage license applications for the preceding three days. The current law still requires public access to certain marriage license application information, but 1991 legislation created a mechanism for protecting the information of persons who are victims of domestic violence, sexual assault, and stalking. In such cases, the name and addresses are only available to law enforcement on request or if directed by a court order.

---

*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.*

Persons authorized to solemnize marriages include retired and active state and county judges, court commissioners, tribal court judges, and licensed or ordained clergy, or similar officials of a religious organization.

**Summary of Bill:** County auditors may solemnize marriages. County auditors must issue marriage licenses at the time of application. After the auditor issues a marriage license, it may be used immediately without a waiting period.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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

**Staff Summary of Public Testimony:** PRO: Washington has a large number of active duty military. They are often deployed or transferred with very short notice. In addition, Washington is a very scenic state and there may be many visitors who would like to have a destination wedding in our state. It would be easier to hold a destination wedding without a three-day waiting period for a license. During times when the military in a county are deploying a large number of troops at one time, auditors are staying open later to meet the requirements for marriage licenses because the waiting period can make the window very tight for solemnizing marriage before deployment. Many of the military are not from Washington and often both parties to a marriage are in the military. Many in the armed forces want to put all of their affairs in order before they leave causing a wedding date to be moved up because of a sudden pending transfer or deployment. The auditors hate to turn anyone away because of a waiting period that can not accommodate their schedule. A county auditor can add a convenience fee to the marriage license charge, but the fee goes into a general fund so there should not be any concern that solemnizing marriages will become a cottage industry for the county auditors.

**Persons Testifying:** PRO: Senator Emily Randall, Prime Sponsor; Julie Anderson, Washington State Association of County Auditors.

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