

State-by-State Guide for Marriage Solemnization Requirement for Ministers

Provided by www.StartCHURCH.com

(All State Requirements change regularly. We highly suggest you view each states website for all current requirements.)

Alabama

Section 30-1-7

Marriages may be solemnized by any licensed minister of the gospel in regular communion with the Christian church or society of which the minister is a member.

Alaska

Any minister who has been licensed by their church.

Arizona

Title 25

Duly licensed or ordained clergymen. Any minister who has been licensed by their church.

Arkansas

A.C.A. § 9-11-213

Any regularly ordained minister or priest of any religious sect or denomination. You must record your credentials recorded in any county clerk's office of any county.

California

Section 400

Marriage may be solemnized by any of the following who is of the age of 18 years or older and is a priest, minister, or rabbi of any religious denomination.

Colorado

C.R.S 14-2-109

Any minister who has been licensed by their church.

Connecticut

Sec. 46b-22

All ordained or licensed clergymen, belonging to this state or any other state, so long as they continue in the work of the ministry may join persons in marriage.

Delaware

Title 13:1 § 106

A clergyperson or minister of any recognized religion.

District of Columbia

46-406

For the purpose of preserving the evidence of marriages in the District of Columbia, every minister of any religious society approved or ordained according to the ceremonies of his religious society, whether his

residence is in the District of Columbia or elsewhere in the United States or the territories, may be authorized by any judge of the Superior Court of the District of Columbia to celebrate marriages in the District of Columbia.

Florida

Title XLIII Chapter 741.07

All regularly ordained ministers of the gospel or elders in communion with some church, or other ordained clergy.

Georgia

1799, Act [Marbury & Crawford, p. 220; Prince's Digest, 1822, p. 159; *ibid.*, 1837, p. 231]

Any minister who has been licensed by their church.

Hawaii

572-12

A license to solemnize marriages may be issued to, and the marriage rite may be performed and solemnized by any minister, priest, or officer of any religious denomination or society who has been ordained or is authorized to solemnize marriages according to the usages of such denomination or society.

This means that you must be commissioned by the State of Hawaii, Department of Health to solemnize marriages. You can call the Health Department at (808) 586-4540.

Or go to <http://www.hawaii.gov/doh/permits/marriage.html>.

Idaho

Title 32 Chapter 3:32-303

Marriage may be solemnized by either a . . . priest or minister of the gospel of any denomination.

Illinois

750 ILCS 5/209

[Any minister] in accordance with the prescriptions of any religious denomination . . . provided that . . . the officiate be in good standing with his religious denomination.

Indiana

IC 31-11-6-1

Member of the clergy of a religious organization (even if the cleric does not perform religious functions for an individual congregation), such as a minister of the gospel, a priest, a bishop, an archbishop, or a rabbi.

Iowa

595.10.2

A person ordained or designated as a leader of the person's religious faith.

Kansas

Chapter 23 Article 1:23-104b:1,2

Any currently ordained clergyman or religious authority of any religious denomination or society; (2) any licentiate of a denominational body or an appointee of any bishop serving as the regular clergyman of any church of the denomination to which the licentiate or appointee belongs, if not restrained from so doing by the discipline of that church or denomination;

Kentucky

KRS 402.050(1)(a)(b)(c)

Marriage shall be solemnized only by clergy, justices and judges of the Court of Justice, retired justices and judges of the Court of Justice except those removed for cause or convicted of a felony.

Louisiana

RS 9:202

A priest, minister, rabbi, clerk of the Religious Society of Friends, or any clergyman of any religious sect, who is authorized by the authorities of his religion to perform marriages, and who is registered to perform marriages.

Maine

Title 19-A Part 2 Chapter 23 §655:1B:1,2,3

Whether a resident or nonresident of this State and whether or not a citizen of the United States:

An ordained minister of the gospel; A cleric engaged in the service of the religious body to which the cleric belongs; or A person licensed to preach by an association of ministers, religious seminary or ecclesiastical body.

Maryland

2-406 (2)

A marriage ceremony may be performed in this State by any official of a religious order or body authorized by the rules and customs of that order or body to perform a marriage ceremony.

Massachusetts

Title III, Chapter 207, Section 38

A marriage may be solemnized in any place within the commonwealth by the following persons who are residents of the commonwealth: a duly ordained minister of the gospel in good and regular standing with his church or denomination, including an ordained deacon in The United

Methodist Church or in the Roman Catholic Church; a commissioned cantor or duly ordained rabbi of the Jewish faith . . . it may be solemnized by a duly ordained nonresident minister of the gospel if he is a pastor of a church or denomination duly established in the commonwealth and who is in good and regular standing as a minister of such church or denomination, including an ordained deacon in The United Methodist Church or in the Roman Catholic Church; and, it may be solemnized according to the usage of any other church or religious organization which shall have complied with the provisions of the second paragraph of this section.

Churches and other religious organizations shall file in the office of the state secretary information relating to persons recognized or licensed as aforesaid, and relating to usages of such organizations, in such form and at such times as the secretary may require.

Section 39: (Out of State Clergy) a minister of the gospel in good and regular standing with his church or denomination; a commissioned cantor or duly ordained rabbi of the Jewish faith.

(There is a \$25.00 registration fee with the Secretary of State (617) 727-7030).

Michigan

R.S. of 1846 Chapter 83:551.7h, i:

A minister of the gospel, anywhere in the state, if the minister is ordained or authorized to solemnize marriages according to the usages of the denomination, and is a pastor of a church in this state, or continues to preach the gospel in this state.

(i) A minister of the gospel, anywhere in the state, if the minister is not a resident of this state but is

authorized to solemnize marriages under the laws of the state in which the minister resides.

Minnesota

517.04:

Marriages may be solemnized throughout the state by . . . a licensed or ordained minister of any religious denomination.

Mississippi

SEC. 93-1-19:

It shall be lawful for a pastor of any religious society in this state to join together in marriage such persons of the society to whom a marriage license has been issued, according to the rules and customs established by the society.

Missouri

451.100:

Marriages may be solemnized by any clergyman, either active or retired, who is in good standing with any church or synagogue in this state. Marriages may also be solemnized by a religious society, religious institution, or religious organization of this state, according to the regulations and customs of the society, institution or organization, when either party to the marriage to be solemnized is a member of such society, institution or organization.

Montana

40-1-301:

In accordance with any mode of solemnization recognized by any religious denomination. This means that any licensed or ordained minister can solemnize a marriage so long as it is in accordance in the way of the licensing church.

Nebraska

42-108:

Every preacher of the gospel authorized by the usages of the church to which he or she belongs to solemnize marriages, may perform the marriage ceremony in this state.

Nevada

NRS 122.062:1, 4.

Any licensed or ordained minister in good standing within his denomination, whose denomination, governing body and church, or any of them, are incorporated or organized or established in this state, may join together as husband and wife persons who present a marriage license obtained from any county clerk of the State, if the minister first obtains a certificate of permission to perform marriages as provided in this section and NRS 122.064 to 122.073, inclusive. The fact that a minister is retired does not disqualify him from obtaining a certificate of permission to perform marriages if, before his retirement, he had active charge of a congregation within this state for a period of at least 3 years. 4. A county clerk may authorize a licensed or ordained minister whose congregation is in another state to perform marriages in the county if the county clerk satisfies himself that the minister is in good standing with his denomination or church. The authorization must be in writing and need not be filed with any other public officer. A separate authorization is required for each marriage performed. Such a minister may perform not more than five marriages in this state in any calendar year.

Like Ohio, Nevada has very strict marriage licensing laws. Please go to http://www.co.clark.nv.us/clerk/pdf/Forms/NRS_122.pdf for additional instructions. Please do not skip over tip.

New Hampshire

Weddings can be solemnized by a judge, Supreme Court justice, assistant judge, justice of the peace, priest, rabbi, or minister residing in New Hampshire. Non-residents clergy need to receive a special license from the Secretary of State.

New Jersey

37:1-13:

Every minister of every religion, are hereby authorized to solemnize marriage between such persons as may lawfully enter into the matrimonial relation; and every religious society, institution or organization in this State may join together in marriage such persons according to the rules and customs of the society, institution or organization.

New Mexico

40-1-2:

A person may solemnize the contract of matrimony by means of an ordained clergyman.

New York

Chapter 14:3:11

A clergyman or minister of any religion. According to Section 11 of the Domestic Relations Law, an officiate must be an authorized, officially ordained member of the clergy or a public official in the State of New York such as a mayor, city clerk, deputy city clerk, appointed marriage officer, justice, or judge. In New York City, an officiate must be registered with the City of New York. Ship captains cannot perform marriage ceremonies in New York State.

North Carolina

Any ordained or licensed clergymen and justices of the peace.

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North Dakota

14-03-09:

Ordained ministers of the gospel; priests; clergy licensed by recognized denominations pursuant to chapter 10-33; and by any person authorized by the rituals and practices of any religious persuasion.

Ohio

3101.08:

An ordained or licensed minister of any religious society or congregation within this state who is licensed to solemnize marriages . . . or any religious society in conformity with the rules of its church, may join together as husband and wife any persons who are not prohibited by law from being joined in marriage.

3101.10 A minister upon producing to the secretary of state, credentials of his being a regularly ordained or licensed minister of any religious society or congregation, shall be entitled to receive from the secretary of state a license authorizing him to solemnize marriages in this state so long as he continues as a regular minister in such society or congregation. A minister shall produce for inspection his license to solemnize marriages upon demand of any party to a marriage at which he officiates or proposes to officiate or upon

demand of any probate judge. You must apply to the secretary of state to receive authorization to perform marriages. Please go to www.startchurch.com/applications/ohio.pdf.

Oklahoma

43-7: A

All marriages must be contracted by a formal ceremony performed or solemnized in the presence of at least two adult, competent persons as witnesses, by . . . an ordained or authorized preacher or minister of the Gospel, priest or other ecclesiastical dignitary of any denomination who has been duly ordained or authorized by the church to which he or she belongs to preach the Gospel, or a rabbi and who is at least eighteen (18) years of age.

2. The preacher, minister, priest, rabbi, or ecclesiastical dignitary who is a resident of this state shall have filed, in the office of the court clerk of the county in which he or she resides, a copy of the credentials or authority from his or her church or synagogue authorizing him or her to solemnize marriages.

3. The preacher, minister, priest, rabbi, or ecclesiastical dignitary who is not a resident of this state, but has complied with the laws of the state of which he or she is a resident, shall have filed once, in the office of the court clerk of the county in which he or she intends to perform or solemnize a marriage, a copy of the credentials or authority from his or her church or synagogue authorizing him or her to solemnize marriages.

4. The filing by resident or nonresident preachers, ministers, priests, rabbis, ecclesiastical dignitaries or judges shall be effective in and for all counties of this state; provided, no fee shall be charged for such recording.

5. No person herein authorized to perform or solemnize a marriage ceremony shall do so unless the license issued therefore be first delivered into his or her possession nor unless he or she has good reason to believe the persons presenting themselves before him or her for marriage are the identical persons named in the license, and for whose marriage the same was issued, and that there is no legal objection or impediment to such marriage.

Oregon

106.120

Marriages may be solemnized by: Religious congregations or organizations as indicated in ORS 106.150 or

(d) A clergyperson of any religious congregation or organization who is authorized by the congregation or organization to solemnize marriages.

(2) A person authorized to solemnize marriages under subsection (1) of this section may solemnize a marriage anywhere in this state.

106.150 Form of solemnization; witnesses; solemnization before congregation. (1) In the solemnization of a marriage no particular form is required except that the parties thereto shall assent or declare in the presence of the clergyperson, county clerk or judicial officer solemnizing the marriage and in the presence of at least two witnesses, that they take each other to be husband and wife.

(2) All marriages, to which there are no legal impediments, solemnized before or in any religious organization or congregation according to the established ritual or form commonly practiced therein, are valid. In such case, the person presiding or officiating in such religious organization or congregation shall make and deliver to the county clerk who issued the marriage license the certificate described in ORS 106.170. [Amended by 1979 c.724 §5; 2001 c.501 §2]

Judges, County Clerks or their Deputies, Justices of Peace, and ministers, pastors, priests, rabbis may perform wedding ceremonies in Oregon.

Pennsylvania

1503

A minister, priest or rabbi of any regularly established church or congregation.

b) Religious organizations.--Every religious society, religious institution or religious organization in this Commonwealth may join persons together in marriage when at least one of the persons is a member of the society, institution or organization, according to the rules and customs of the society, institution or organization.

(c) Marriage license needed to officiate.--No person or religious organization qualified to perform marriages shall officiate at a marriage ceremony without the parties having obtained a marriage license issued under this part. Ministers need to file their credentials with the county clerk's office before solemnizing any marriages.

Rhode Island

15-3-5

Every ordained clergy or elder in good standing may join persons in marriage in any city or town in this state. You must obtain a license to marry from the city or town clerk before solemnizing any marriages.

South Carolina

SECTION 20-1-20

Only ministers of the Gospel or accepted Jewish rabbis and officers authorized to administer oaths in this State are authorized to administer a marriage ceremony in this State.

South Dakota

25-1-30

Marriage may be solemnized by . . . any person authorized by a church to solemnize marriages.

Tennessee

36-3-301 (a) (1)

All regular ministers, preachers, pastors, priests, rabbis and other spiritual leaders of every religious belief, more than eighteen (18) years of age, having the care of souls. (2) In order to solemnize the rite of matrimony, any such minister, preacher, pastor, priest, rabbi or other spiritual leader must be ordained or otherwise designated in conformity with the customs of a church, temple or other religious group or organization; and such customs must provide for such ordination or designation by a considered, deliberate, and responsible act.

Texas

§ 2.202: a)

The following persons are authorized to conduct a marriage ceremony:

- (1) a licensed or ordained Christian minister or priest;
- (2) a Jewish rabbi;
- (3) a person who is an officer of a religious organization and who is authorized by the organization to conduct a marriage ceremony.

Utah

30-1-6

Marriages may be solemnized by the following persons only:

- (a) Ministers, rabbis, or priests of any religious denomination who are:
 - (i) in regular communion with any religious society; and

- (ii) 18 years of age or older;
- 2) A person authorized under Subsection (1) who solemnizes a marriage shall give to the couple married a certificate of marriage that shows the:
 - (a) Name of the county from which the license is issued; and
 - (b) Date of the license's issuance.

Vermont

5144

Marriages may be solemnized by . . . a member of the clergy residing in this state and ordained or licensed, or otherwise regularly authorized thereunto by the published laws or discipline of the general conference, convention or other authority of his or her faith or denomination or by such a clergy person residing in an adjoining state or country, whose parish, church, temple, mosque or other religious organization lies wholly or in part in this state, or by a member of the clergy residing in some other state of the United States or in the Dominion of Canada, provided he or she has first secured from the probate court of the district within which the marriage is to be solemnized a special authorization, authorizing him or her to certify the marriage if such probate judge determines that the circumstances make the special authorization desirable. The only ministers that need to file for a permit are non-resident clergy.

Virginia

20-23

When a minister of any religious denomination shall produce before the circuit court of an county or city in this Commonwealth, or before the judge of such court or before the clerk of such court at any time, proof of his ordination and of his being in regular communion with the religious society of which he is a reputed member, or proof that he holds a local minister's license and is serving as a regularly appointed pastor in his denomination, such court, or the judge thereof, or the clerk of such court at any time, may make an order authorizing such minister to celebrate the rites of matrimony in this Commonwealth. Any order made under this section may be rescinded at any time by the court or by the judge thereof.

Washington

RCW 26.04.050

The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit: . . . any regularly licensed or ordained minister or any priest of any church or religious denomination.

West Virginia

§48-2-402

a) Beginning the first day of September, two thousand one, the secretary of state shall, upon payment of the registration fee established by the secretary of state pursuant to subsection (d) of this section, make an order authorizing a person who is a religious representative to celebrate the rites of marriage in all the counties of the state, upon proof that the person:

- (1) Is eighteen years of age or older;
- (2) Is duly authorized to perform marriages by his or her church, synagogue, spiritual assembly or religious organization; and
- (3) Is in regular communion with the church, synagogue, spiritual assembly or religious organization of which he or she is a member.

(b) Shall give bond in the penalty of one thousand five hundred dollars, with surety approved by the commission. Any religious representative who gives proof before the county commission of his or her ordination or authorization by his or her respective church, synagogue, spiritual assembly or religious organization is exempt from giving the bond.

48-2-202: (a) The person solemnizing a marriage shall retain the marriage license and place an endorsement on it establishing the fact of the marriage and the time and place it was celebrated.

(b) Before the sixth day of the month after the month in which the marriage was celebrated, the person who solemnized the marriage shall forward the original of the marriage license to the clerk who issued the license. To avoid having to provide a \$1500.00 surety bond, you must present to the Secretary of State your certificate of ordination or license.

Wisconsin

765.16

(1) Any ordained member of the clergy of any religious denomination or society who continues to be an ordained member of the clergy.

2) Any licentiate of a denominational body or an appointee of any bishop serving as the regular member of the clergy of any church of the denomination to which the member of the clergy belongs, if not restrained from so doing by the discipline of the church or denomination.

765.17 Any member of the clergy, licentiate or appointee named in s. 765.16 who is not a resident of this state may solemnize marriages in this state if he or she possesses at the time of the marriage a letter of sponsorship from a member of the clergy of the same religious denomination or society who has a church in this state under his or her ministry.

Wyoming

20-1-106

a) Every district or circuit court judge, district court commissioner, Supreme Court justice, justice of the peace, magistrate and every licensed or ordained minister of the gospel, bishop, priest or rabbi, or other qualified person acting in accordance with the traditions or rites for the solemnization of marriage of any religion, denomination or religious society, may perform the ceremony of marriage in this state.

Go to www.StartCHURCH.com for more information and resources for your church.

(All State Requirements change regularly. We highly suggest you go to each states website to view all current requirements.)