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SENATE BILL NO. 306

Offered January 13, 2016

Prefiled January 8, 2016

A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to designation of marriage officiant on license.

Patron—Ebbin

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 20-25 of the Code of Virginia is amended and reenacted as follows:

§ 20-25. Persons other than ministers who may perform rites.

A. Upon petition filed with the clerk and payment of applicable clerk's fees, any circuit court judge may issue an order authorizing one or more persons, resident in the circuit in which the judge sits, to celebrate the rites of marriage in the Commonwealth. Any person so authorized shall, before acting, enter into bond in the penalty of $500, with or without surety, as the court may direct. Any order made under this section may be rescinded at any time.

B. Any judge or justice of a court of record, any judge of a district court or any retired judge or justice of the Commonwealth or any active, senior or retired federal judge or justice who is a resident of the Commonwealth may celebrate the rites of marriage anywhere in the Commonwealth without the necessity of bond or order of authorization.

C. The parties contemplating marriage shall be able to designate an officiant, who shall be 18 years of age or older and not a party to the marriage, on the application for a marriage license to celebrate their rites of marriage. A license issued with such designation shall serve as authorization for the named officiant to celebrate the rites of such marriage in the Commonwealth.

INTRODUCED

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