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HOUSE BILL NO. 2071

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary

on February 8, 2023)

(Patron Prior to Substitute—Delegate Lopez)

A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites of marriage; clerk; issuance of order; bond requirement.

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.**

Upon petition filed with the clerk and payment of applicable clerk's fees, ~~any circuit court judge~~ *such clerk* may issue an order authorizing one or more persons resident in the circuit in which ~~the judge sits~~ *such petition was filed* 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~~ *clerk* may direct; *however, upon a showing of good cause, the clerk may waive such bond.* Any order made under this section may be rescinded at any time. No oath shall be required of a person authorized to celebrate the rites of marriage, nor shall such person be considered an officer of the Commonwealth by virtue of such authorization.

Any judge or justice of a court of record, any judge of a district court, any retired judge or justice of the Commonwealth, any active, senior, or retired federal judge or justice who is a resident of the Commonwealth, and any current (i) member of the General Assembly, (ii) Governor of Virginia, (iii) Lieutenant Governor of Virginia, and (iv) Attorney General of Virginia may celebrate the rites of marriage anywhere in the Commonwealth without the necessity of bond or order of authorization.