

VIRGINIA ACTS OF ASSEMBLY -- 2023 RECONVENED SESSION

CHAPTER 789

An Act 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.

[H 2071]

Approved April 12, 2023

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 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; *however, upon a showing that the person would otherwise be qualified for in forma pauperis status, the court may waive such bond.* Any order made under this section may be rescinded at any time.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 or~~ any current (i) member of the General Assembly, (ii) Governor of Virginia, (iii) Lieutenant Governor of Virginia, ~~and or~~ (iv) Attorney General of Virginia may celebrate the rites of marriage anywhere in the Commonwealth without the necessity of bond or order of authorization.

2. That the State Registrar shall amend the form furnished for a marriage license to include as the celebrant on such marriage license any person authorized by § 20-25 of the Code of Virginia, as amended by this act, to perform rites of marriage.