

CS FOR HOUSE BILL NO. 20(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/15/17

Referred: Rules

Sponsor(s): REPRESENTATIVE CLAMAN

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to marriage solemnization; and authorizing elected public officials in**
2 **the state to solemnize marriages."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 25.05.261(a) is amended to read:

5 (a) Marriages may be solemnized

6 (1) by a minister, priest, or rabbi of any church or congregation in the
7 state, or by a commissioned officer of the Salvation Army, or by the principal officer
8 or elder of recognized churches or congregations that traditionally do not have regular
9 ministers, priests, or rabbis, anywhere within the state;

10 (2) by a marriage commissioner or judicial officer of the state
11 anywhere within the jurisdiction of the commissioner or officer; [OR]

12 (3) before or in any religious organization or congregation according to
13 the established ritual or form commonly practiced in the organization or congregation;

14 **or**

1 **(4) by an individual holding an elective public office in the state.**

2 * **Sec. 2.** AS 25.05.261 is amended by adding a new subsection to read:

3 (c) Nothing in this section creates or implies a duty or obligation on a person
4 authorized to solemnize a marriage under (a)(1), (3), or (4) of this section to solemnize
5 any marriage.

6 * **Sec. 3.** AS 25.05.281 is amended to read:

7 **Sec. 25.05.281. Marriage solemnized by unauthorized person.** After a
8 license has been obtained, a marriage solemnized before a person professing to be a
9 **person authorized to solemnize marriages in the state under AS 25.05.261(a)**
10 [MINISTER, PRIEST, OR RABBI OF A CHURCH OR CONGREGATION IN THE
11 STATE OR A JUDICIAL OFFICER OR MARRIAGE COMMISSIONER] is valid
12 regardless of a lack of power or authority in the person, if the marriage is
13 consummated with a belief on the part of the persons so married, or either of them,
14 that they have been lawfully joined in marriage.