

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on a temporary basis, An Act To establish a code of law for the District of Columbia to authorize the Mayor to issue marriage licenses and authorize temporary marriage officiants during a period of time when the Clerk of the Superior Court of the District of Columbia is not issuing marriage licenses because of a federal government shutdown.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Let Our Vows Endure (LOVE) Temporary Amendment Act of 2023”.

Sec. 2. An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1391; D.C. Official Code § 46-401 *passim*), is amended as follows:

(a) Section 1288(a)(4) (D.C. Official Code § 46-406(a)(4)) is amended by striking the phrase “authorized by the Clerk” and inserting the phrase “authorized by the Mayor or the Clerk” in its place.

(b) Section 1291 (D.C. Official Code § 46-410) is amended as follows:

(1) The section heading is amended to read as follows:

“Sec. 1291. Duty of the Mayor or Clerk.”.

(2) The text is amended by striking the phrase “the Clerk” both times it appears and inserting the phrase “the Mayor or the Clerk” in its place.

(c) Section 1292 (D.C. Official Code § 46-411) is amended by striking the word “Clerk” wherever it appears and inserting the phrase “Mayor or Clerk” in its place.

(d) Section 1293 (D.C. Official Code § 46-412) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) The newly designated subsection (a) is amended by striking the phrase “following form:” and inserting the phrase “following form (except when such a license is issued by the Mayor, in which case a form consistent with the provisions of subsection (b) of this section shall be used):” in its place.

(3) A new subsection (b) is added to read as follows:

“(b)(1) The Mayor shall create a form for a license to perform a marriage ceremony that is consistent with the form set forth in subsection (a) of this section except that such a form shall be modified by replacing the references to the “Clerk’s Office of the Superior Court of the District of Columbia”, “Court”, “Clerk”, “Assistant Clerk”, and “Clerk of the Superior Court of the District of Columbia” with appropriate references to the Mayor or to an office or officer

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within the executive branch of the government of the District of Columbia; provided, that the form may require that the license be returned to one or either of:

“(A) The Clerk’s Office of the Superior Court of the District of Columbia;

or

“(B) The Mayor or to an office or officer within the executive branch of the government of the District of Columbia.

“(2) The Mayor shall issue the form for a license described in paragraph (1) of this subsection to persons authorized by section 1288 to perform a marriage ceremony when authorized to issue a license pursuant to sections 1283 through 1295a.”.

(e) Section 1295 (D.C. Official Code § 46-414) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) are added to read as follows:

“(b)(1) The Mayor shall maintain:

“(A) A true and accurate copy of each marriage license issued by the Mayor affixed with a seal;

“(B) Each marriage license certificate returned to the Mayor by a minister, magistrate, or other person authorized by section 1288 to perform or witness a marriage ceremony;

“(C) A record book filled with the names and residences of the parties for whose marriage any license has been issued by the Mayor; and

“(D) A record book filled with the names of each minister, magistrate, or other person authorized by section 1288 to perform or witness a marriage ceremony (“officiant”) who has returned a marriage license certificate to the Mayor and the license number of each marriage license certificate returned by the officiant.

“(2) A copy of each license and marriage license certificate so kept and recorded, certified by the Mayor, shall be competent evidence of the marriage.

“(3) The Mayor shall number each marriage license consecutively, from one upward, and with an alphabetical prefix to such number to distinguish each license issued by the Mayor from licenses issued by the Clerk of the Superior Court of the District of Columbia.

“(c)(1) Within 5 business days after a marriage license is issued by the Mayor or a marriage license certificate is returned to the Mayor by a minister, magistrate, or other person authorized by section 1288 to perform or witness a marriage ceremony, the Mayor shall transmit to the Clerk of the Superior Court of the District of Columbia a true and accurate copy of the marriage license or marriage license certificate.

“(2) A copy of each license and marriage license certificate so transmitted, as maintained and certified by the Clerk, shall be competent evidence of the marriage.”.

(f) A new section 1297a is added to read as follows:

“Sec. 1297a. Applicability of authority of Mayor to issue marriage licenses.

“The authority of the Mayor under sections 1283 through 1295a to issue marriage licenses and authorize officiants shall apply only during a period of time when the Clerk of the

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Superior Court of the District of Columbia is not issuing marriage licenses because of a total or partial federal government shutdown.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.

Chairman
Council of the District of Columbia

Mayor
District of Columbia