2018 Regular Session



HOUSE BILL NO. 747 (Substitute for House Bill No. 390 by Representative Emerson)

BY REPRESENTATIVE EMERSON

1	AN ACT
2	To amend and reenact Subpart A of Part IV of Chapter 1 of Code Title IV of Code Book I
3	of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:241
4	through 243, relative to the performance of marriage ceremonies; to provide for the
5	waiting period before conducting a marriage ceremony; and to provide for related
6	matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. Subpart A of Part IV of Chapter 1 of Code Title IV of Code Book I of
9	Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:241 through 243, is
10	hereby amended and reenacted to read as follows:
11	PART IV. DELAYS AND CEREMONY
12	SUBPART A. SEVENTY-TWO <u>TWENTY-FOUR</u> HOUR DELAY
13	§241. Premature ceremony prohibited
14	An officiant may not perform a marriage ceremony until seventy-two twenty-
15	four hours have elapsed since the issuance of the marriage license.
16	§242. Waiver of delay
17	A. A judge, justice of the peace, or retired justice of the peace authorized to
18	perform the marriage may waive the seventy-two-hour twenty-four-hour delay upon
19	application of the parties giving serious and meritorious reasons. His certificate
20	authorizing the immediate performance of the ceremony must be attached to the
21	marriage license.
22	B. Notwithstanding the provisions of R.S. 9:241, an officiant authorized to
23	perform marriage ceremonies in the parish of Orleans may waive the seventy-two-

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	hour twenty-four-hour delay for nonresident parties upon application of the parties
2	giving serious and meritorious reasons. His certificate authorizing the immediate
3	performance of the ceremony shall be attached to the marriage license. For purposes
4	of this Subsection, "nonresident" shall mean a person domiciled or residing in a
5	jurisdiction other than the state of Louisiana.
6	§243. Penalty
7	An officiant who violates R.S. 9:241, other than except for a judge, justice
8	of the peace or an officiant authorized to perform marriage ceremonies in the parish
9	of Orleans and who is authorized to waive the seventy-two-hour twenty-four-hour
10	delay pursuant to the provisions of R.S. 9:242(B), may have his authority to perform
11	marriage ceremonies revoked by the state registrar of vital records. The revocation
12	may not exceed one year.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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