

CHAPTER 9
SB 263 – FINAL VERSION

2014 SESSION

14-2697
05/01

SENATE BILL **263**

AN ACT allowing state court judges to solemnize marriages.

SPONSORS: Sen. Carson, Dist 14; Sen. Lasky, Dist 13; Sen. Boutin, Dist 16; Sen. Soucy,
Dist 18; Rep. M. Smith, Straf 6; Rep. Rowe, Hills 22; Rep. G. Hopper, Hills 2;
Rep. Charron, Rock 4

COMMITTEE: Judiciary

ANALYSIS

This bill permits judges of the New Hampshire supreme court, superior court, and circuit court to solemnize marriages.

This bill is a request of the supreme court.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT allowing state court judges to solemnize marriages.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 9:1 Solemnization of Marriage by State Court Judge. Amend RSA 457:31, I to read as follows:

2 I. In a civil ceremony by a justice of the peace as commissioned by the state, **by a state**
3 **supreme court justice, superior court judge, or circuit court judge**, and by judges of the
4 United States appointed pursuant to Article III of the United States Constitution, by bankruptcy
5 judges appointed pursuant to Article I of the United States Constitution, or by United States
6 magistrate judges appointed pursuant to federal law; or

7 9:2 Judges of the United States and State of New Hampshire. Amend RSA 457:32-a to read as
8 follows:

9 457:32-a Judges of the United States **and the State of New Hampshire**.

10 **I.** The secretary of state may issue a special license to **marry a couple within this state:**

11 **(a)** To a judge of the United States residing in this state who is appointed pursuant to
12 Article III of the United States Constitution, to a judge of the United States Bankruptcy Court
13 residing in this state and appointed pursuant to Article I of the United States Constitution, or to a
14 United States magistrate judge residing in this state and appointed pursuant to federal law[~~to~~
15 ~~marry a couple within the state]; **or**~~

16 **(b) To a state supreme court justice, superior court judge, or circuit court judge.**

17 **II.** There shall be a fee of \$25 for each such license, and the secretary of state shall maintain
18 a record of all such special licenses issued. A copy of the marriage license of the couple proposed to
19 be married shall be filed with the secretary of state who shall maintain a permanent record of all
20 such marriage licenses and the name and residence of the judge or magistrate performing the
21 ceremony.

22 9:3 Effective Date. This act shall take effect 60 days after its passage.

23 Approved: May 14, 2014

24 Effective Date: July 13, 2014