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LAW/RWH

P.L.2013, CHAPTER 242, *approved January 17, 2014*
Assembly, No. 2128 (*Third Reprint*)

1 AN ACT concerning marriages and civil unions and amending
2 R.S.37:1-13.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. R.S.37:1-13 is amended to read as follows:

8 37:1-13. Authorization to solemnize marriages and civil unions.

9 Each judge of the United States Court of Appeals for the Third
10 Circuit, each judge of a federal district court, United States
11 magistrate, judge of a municipal court, judge of the Superior Court,
12 judge of a tax court, retired judge of the Superior Court or Tax
13 Court, or judge of the Superior Court or Tax Court, the former
14 County Court, the former County Juvenile and Domestic Relations
15 Court, or the former County District Court who has resigned in
16 good standing, surrogate of any county, ³**[freeholder.]**³ county
17 clerk ³,³ and any mayor ¹or former mayor¹ ²not currently serving on
18 the municipal governing body² or the deputy mayor when
19 authorized by the mayor, **[or]** ²or² chairman of any township
20 committee or village president of this State, ²**[or municipal clerk**
21 ¹of this State¹ **]**² and every minister of every religion, are hereby
22 authorized to solemnize marriages or civil unions between such
23 persons as may lawfully enter into the matrimonial relation or civil
24 union; and every religious society, institution or organization in this
25 State may join together in marriage or civil union such persons
26 according to the rules and customs of the society, institution or
27 organization.

28 (cf: P.L.2006, c.103, s.17)

29

30 2. This act shall take effect immediately.

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34

35 Permits certain former mayors to solemnize marriage and civil
36 union ceremonies.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted June 21, 2012.

²Senate SJU committee amendments adopted December 17, 2012.

³Senate floor amendments adopted December 19, 2013.

ASSEMBLY, No. 2128

STATE OF NEW JERSEY

215th LEGISLATURE

INTRODUCED JANUARY 30, 2012

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

SYNOPSIS

Permits freeholders and municipal clerks to solemnize marriage and civil union ceremonies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2012)

1 AN ACT concerning marriages and civil unions and amending
2 R.S.37:1-13.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. R.S.37:1-13 is amended to read as follows:

8 37:1-13. Authorization to solemnize marriages and civil unions.

9 Each judge of the United States Court of Appeals for the Third
10 Circuit, each judge of a federal district court, United States
11 magistrate, judge of a municipal court, judge of the Superior Court,
12 judge of a tax court, retired judge of the Superior Court or Tax
13 Court, or judge of the Superior Court or Tax Court, the former
14 County Court, the former County Juvenile and Domestic Relations
15 Court, or the former County District Court who has resigned in
16 good standing, surrogate of any county, freeholder, county clerk
17 and any mayor or the deputy mayor when authorized by the mayor,
18 **[or]** chairman of any township committee or village president of
19 this State, or municipal clerk, and every minister of every religion,
20 are hereby authorized to solemnize marriages or civil unions
21 between such persons as may lawfully enter into the matrimonial
22 relation or civil union; and every religious society, institution or
23 organization in this State may join together in marriage or civil
24 union such persons according to the rules and customs of the
25 society, institution or organization.

26 (cf: P.L.2006, c.103, s.17)

27

28 2. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill would add freeholders and municipal clerks to the list
34 of people authorized to solemnize marriage and civil union
35 ceremonies. Currently, marriage and civil union ceremonies may
36 be solemnized by judges of the United States Third Circuit Court of
37 Appeals, federal district court judges, United States magistrates,
38 municipal court judges, active and retired Superior Court and Tax
39 Court judges, judges who resigned in good standing from the
40 Superior Court, Tax Court, the former County Court, the former
41 County Juvenile and Domestic Relations Court, or the former
42 County District Court, county surrogates, county clerks, mayors,
43 deputy mayors when authorized by the mayor, the chairman of any
44 township committee or village president, and every minister of
45 every religion.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2128

STATE OF NEW JERSEY

DATED: JUNE 14, 2012

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2128.

This bill would add freeholders and municipal clerks to the list of people authorized to solemnize marriage and civil union ceremonies. Currently, marriage and civil union ceremonies may be solemnized by judges of the United States Third Circuit Court of Appeals, federal district court judges, United States magistrates, municipal court judges, active and retired Superior Court and Tax Court judges, judges who resigned in good standing from the Superior Court, Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court, county surrogates, county clerks, mayors, deputy mayors when authorized by the mayor, the chairman of any township committee or village president, and every minister of every religion.

STATEMENT TO
ASSEMBLY, No. 2128

with Assembly Floor Amendments
(Proposed by Assemblyman BURZICHELLI)

ADOPTED: JUNE 21, 2012

These floor amendments would add former mayors to the list of people authorized to solemnize marriage and civil union ceremonies. These officials would be in addition to the freeholders and municipal clerks added to the list by the bill.

Currently, marriage and civil union ceremonies may be solemnized by judges of the United States Third Circuit Court of Appeals, federal district court judges, United States magistrates, municipal court judges, active and retired Superior Court and Tax Court judges, judges who resigned in good standing from the Superior Court, Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court, county surrogates, county clerks, mayors, deputy mayors when authorized by the mayor, the chairman of any township committee or village president, and every minister of every religion.

These floor amendments also make a technical change to clarify that the municipal clerks in the list must be, like the other public officials, “of this State.”

SENATE JUDICIARY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2128

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2012

The Senate Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2128 (1R).

As originally introduced, this bill would have added freeholders, municipal clerks, and former mayors to the list of people authorized to solemnize marriage and civil union ceremonies. The committee amended the bill to eliminate municipal clerks from the list and provide that only those former mayors who are not currently serving on the municipal governing body would be added to the list of people authorized to solemnize marriage and civil union ceremonies.

Currently, marriage and civil union ceremonies may be solemnized by judges of the United States Third Circuit Court of Appeals, federal district court judges, United States magistrates, municipal court judges, active and retired Superior Court and Tax Court judges, judges who resigned in good standing from the Superior Court, Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court, county surrogates, county clerks, mayors, deputy mayors when authorized by the mayor, or the chairman of any township committee or village president, and every minister of every religion.

As reported by the committee, this bill is identical to Senate Bill No. 2209 as additionally amended and reported by the committee on this date.

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 2128

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: DECEMBER 19, 2013

These floor amendments remove county freeholders from the list of civil officials that would be authorized to solemnize marriage and civil union ceremonies. With the removal of freeholders, the bill, as amended, would only include former mayors on this list, so long as they are not currently serving on their respective municipal governing bodies.

SENATE, No. 2209

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED OCTOBER 1, 2012

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Permits freeholders and municipal clerks to solemnize marriage and civil union ceremonies.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning marriages and civil unions and amending
2 R.S.37:1-13.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. R.S.37:1-13 is amended to read as follows:

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10 Circuit, each judge of a federal district court, United States
11 magistrate, judge of a municipal court, judge of the Superior Court,
12 judge of a tax court, retired judge of the Superior Court or Tax
13 Court, or judge of the Superior Court or Tax Court, the former
14 County Court, the former County Juvenile and Domestic Relations
15 Court, or the former County District Court who has resigned in
16 good standing, surrogate of any county, freeholder, county clerk
17 and any mayor or former mayor or the deputy mayor when
18 authorized by the mayor, **[or]** chairman of any township committee
19 or village president of this State, or municipal clerk of this State,
20 and every minister of every religion, are hereby authorized to
21 solemnize marriages or civil unions between such persons as may
22 lawfully enter into the matrimonial relation or civil union; and
23 every religious society, institution or organization in this State may
24 join together in marriage or civil union such persons according to
25 the rules and customs of the society, institution or organization.

26 (cf: P.L.2006, c.103, s.17)

27

28 2. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill would add freeholders, municipal clerks, and former
34 mayors to the list of people authorized to solemnize marriage and
35 civil union ceremonies. Currently, marriage and civil union
36 ceremonies may be solemnized by judges of the United States Third
37 Circuit Court of Appeals, federal district court judges, United States
38 magistrates, municipal court judges, active and retired Superior
39 Court and Tax Court judges, judges who resigned in good standing
40 from the Superior Court, Tax Court, the former County Court, the
41 former County Juvenile and Domestic Relations Court, or the
42 former County District Court, county surrogates, county clerks,
43 mayors, deputy mayors when authorized by the mayor, the
44 chairman of any township committee or village president, and every
45 minister of every religion.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2209

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 13, 2012

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2209.

As originally introduced, this bill would have added freeholders, municipal clerks, and former mayors to the list of people authorized to solemnize marriage and civil union ceremonies. The committee amended the bill to eliminate municipal clerks from the list and to provide that only those former mayors who are not currently serving on the municipal governing body would be added to the list of people authorized to solemnize marriage and civil union ceremonies.

Currently, marriage and civil union ceremonies may be solemnized by judges of the United States Third Circuit Court of Appeals, federal district court judges, United States magistrates, municipal court judges, active and retired Superior Court and Tax Court judges, judges who resigned in good standing from the Superior Court, Tax Court, the former County Court, the former County Juvenile and Domestic Relations Court, or the former County District Court, county surrogates, county clerks, mayors, deputy mayors when authorized by the mayor, or the chairman of any township committee or village president, and every minister of every religion.

As reported by the committee, this bill is identical to Assembly Bill No. 2128 (1R) as additionally amended and reported by the committee on this date.

STATEMENT TO
[First Reprint]
SENATE, No. 2209

with Senate Floor Amendments
(Proposed by Senator WEINBERG)

ADOPTED: DECEMBER 19, 2013

These floor amendments remove county freeholders from the list of civil officials that would be authorized to solemnize marriage and civil union ceremonies under the bill. With the removal of freeholders, the bill, as amended, would only add former mayors to the current list, so long as they are not currently serving on their respective municipal governing bodies.