

37:1-13

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2013 **CHAPTER:** 243
NJSA: 37:1-13 (Authorizes certified celebrants to solemnize marriages and civil unions)
BILL NO: A2201 (Substituted for S2155)
SPONSOR(S) Chivikula and others
DATE INTRODUCED: February 2, 2012
COMMITTEE: **ASSEMBLY:** Judiciary
 SENATE: Judiciary
AMENDED DURING PASSAGE: Yes
DATE OF PASSAGE: **ASSEMBLY:** January 13, 2014
 SENATE: January 9, 2014
DATE OF APPROVAL: January 17, 2014

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (first reprint enacted) Yes

A2201

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S2155

SPONSOR'S STATEMENT: (Begins on page 2 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCALESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR

P.L.2013, CHAPTER 243, *approved January 17, 2014*
Assembly, No. 2201 (*First 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. ¹a. Authorization to solemnize marriages and civil
9 unions.

10 Each judge of the United States Court of Appeals for the Third
11 Circuit, each judge of a federal district court, United States
12 magistrate, judge of a municipal court, judge of the Superior Court,
13 judge of a tax court, retired judge of the Superior Court or Tax
14 Court, or judge of the Superior Court or Tax Court, the former
15 County Court, the former County Juvenile and Domestic Relations
16 Court, or the former County District Court who has resigned in
17 good standing, surrogate of any county, county clerk and any mayor
18 or the deputy mayor when authorized by the mayor, or chairman of
19 any township committee or village president of this State, **[and]**
20 every **[minister]** member of the clergy of every religion ¹,¹ and any
21 civil celebrant who is ¹**[trained and]**¹ certified ¹by the Secretary of
22 State¹ to solemnize marriages or civil unions ¹**[from an established**
23 non-denominational or educational non-profit organization
24 dedicated to training such individuals] as set forth in subsection b.
25 of this section¹, are hereby authorized to solemnize marriages or
26 civil unions between such persons as may lawfully enter into the
27 matrimonial relation or civil union; and every religious society,
28 institution or organization in this State may join together in
29 marriage or civil union such persons according to the rules and
30 customs of the society, institution or organization.

31 ¹b. A civil celebrant shall be authorized to solemnize marriages
32 or civil unions if certified to do so by the Secretary of State.

33 (1) A civil celebrant shall receive a certification from the
34 Secretary of State to solemnize marriages or civil unions if the
35 celebrant:

36 (a) is at least 18 years of age and has graduated from a
37 secondary school in this State or another state;

38 (b) has completed a civil celebrant course offered by a non-
39 denominational or educational charitable organization that is
40 registered with the State under the "Charitable Registration and

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:

¹Senate SJU committee amendments adopted December 16, 2013.

1 Investigation Act," P.L.1994, c.16 (C.45:17A-18 et seq.), and which
2 course:

3 (i) includes classes that meet weekly or with more frequency,
4 either administered in person or by other means, over a period of
5 not less than six months; and

6 (ii) educates on topics including, but not limited to, celebrant
7 philosophy and history, ceremonial structure, and ceremonial
8 presentations; and

9 (c) (i) submits a completed application form, developed by the
10 secretary pursuant to regulation, which includes the name and
11 address of the celebrant-applicant along with any other relevant
12 information on the celebrant-applicant required by the secretary,
13 and supporting documentation with respect to all certification
14 requirements set forth in this subsection; and

15 (ii) pays to the Department of State, at the time of submitting the
16 completed application, a fee of not less than \$50 or more than \$75,
17 as determined by the secretary by regulation, to cover costs for
18 processing applications, producing and issuing certificates, and
19 maintaining records on applications and certificates issued or
20 denied.

21 (2) (a) A celebrant-applicant shall not be authorized to
22 solemnize marriages or civil unions until the application for
23 certification is approved and the certificate received from the
24 secretary.

25 (b) A civil celebrant who has received a certification from the
26 secretary may have that certification revoked, through a hearing
27 before an administrative law judge, if the secretary determines that
28 any information provided in the celebrant's application was
29 inaccurate or otherwise did not comply with the certification
30 requirements set forth in this subsection. A civil celebrant subject
31 to a revocation hearing before an administrative law judge or any
32 appeal thereof shall not be authorized to solemnize marriages or
33 civil unions, and shall only again be authorized to do so if a final
34 determination is made permitting the civil celebrant to retain the
35 certification.¹

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

37

38 2. This act shall take effect ¹**【immediately】** on the first day of
39 the fourth month next following enactment, but the Secretary of
40 State may take any anticipatory administrative action in advance
41 thereof as determined necessary to implement this act¹.

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46 Authorizes certified celebrants to solemnize marriages and civil
47 unions.

ASSEMBLY, No. 2201

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 2, 2012

Sponsored by:

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

SYNOPSIS

Authorizes certified celebrants to solemnize marriages and civil unions.

CURRENT VERSION OF TEXT

As introduced.



A2201 CHIVUKULA

2

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, county clerk and any mayor
17 or the deputy mayor when authorized by the mayor, or chairman of
18 any township committee or village president of this State, **[and]**
19 every **[minister]** member of the clergy of every religion and any
20 civil celebrant who is trained and certified to solemnize marriages
21 or civil unions from an established non-denominational or
22 educational non-profit organization dedicated to training such
23 individuals, are hereby authorized to solemnize marriages or civil
24 unions between such persons as may lawfully enter into the
25 matrimonial relation or civil union; and every religious society,
26 institution or organization in this State may join together in
27 marriage or civil union such persons according to the rules and
28 customs of the society, institution or organization.

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

30

31 2. This act shall take effect immediately.

32

33

34

STATEMENT

35

36 Under current law, marriages may be solemnized by various
37 public officials and by “every minister of every religion.”

38 This bill would add to this list of individuals any civil celebrant
39 who is trained and certified to solemnize marriages or civil unions
40 from an established non-denominational or educational non-profit
41 organization dedicated to training such individuals would be
42 authorized to solemnize marriages or civil unions in New Jersey.

43 The non-sectarian celebrant movement began in Australia and
44 New Zealand in the 1970’s. According to the website of one of
45 these organizations, the Celebrant Foundation and Institute,

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.

A2201 CHIVUKULA

3

1 celebrants are trained there to officiate at many life events,
2 including engagements, weddings, baby welcomings, adoptions,
3 anniversaries, funerals, memorials, and other “transition
4 ceremonies.” The organization states that 400 certified celebrants
5 in North America and Europe officiate at over 3,000 ceremonies a
6 year.

7 In addition to authorizing certified celebrants to solemnize
8 marriages, the bill would also modernize the language referring to
9 “every minister of every religion,” changing the phrase to “every
10 member of the clergy of every religion.”

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2201

STATE OF NEW JERSEY

DATED: MARCH 12, 2012

The Assembly Judiciary Committee reports favorably Assembly Bill No.2201.

Under current law, marriages may be solemnized by various public officials and by “every minister of every religion.”

This bill would add to this list of individuals any civil celebrant who is trained and certified to solemnize marriages or civil unions from an established non-denominational or educational non-profit organization dedicated to training such individuals would be authorized to solemnize marriages or civil unions in New Jersey.

The non-sectarian celebrant movement began in Australia and New Zealand in the 1970’s. According to the website of one of these organizations, the Celebrant Foundation and Institute, celebrants are trained there to officiate at many life events, including engagements, weddings, baby welcomings, adoptions, anniversaries, funerals, memorials, and other “transition ceremonies.” The organization states that 400 certified celebrants in North America and Europe officiate at over 3,000 ceremonies a year.

In addition to authorizing certified celebrants to solemnize marriages, the bill would also modernize the language referring to “every minister of every religion,” changing the phrase to “every member of the clergy of every religion.”

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2201

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2013

The Senate Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2201.

This bill, as amended, would authorize civil celebrants who are certified by the Secretary of State to solemnize marriages or civil unions. In order to be certified, a civil celebrant would have to meet the following criteria:

(1) be at least 18 years of age and a graduate of a secondary school (i.e., high school) in this State or another state;

(2) have completed a civil celebrant course, lasting not less than six months and with classes that met at least weekly, as offered by a non-denominational or educational charitable organization that is registered with the State under the "Charitable Registration and Investigation Act," P.L.1994, c.16 (C.45:17A-18 et seq.);

(3) submit a completed application form, developed by the Secretary of State by regulation, along with supporting documentation concerning all certification requirements; and

(4) pay, at the time of submitting the application, a fee of not less than \$50 and not more than \$75, as determined by regulation, to cover costs for processing applications, producing and issuing certificates, and maintaining records on applications and certificates issued or denied.

A celebrant-applicant would not be authorized to solemnize marriages or civil unions until the application for certification is approved and the certificate received from the Secretary of State.

A civil celebrant who received a certification from the secretary could have that certification revoked, through a hearing before an administrative law judge, if the secretary determines that any information provided in the celebrant's application was inaccurate or otherwise did not comply with the certification requirements set forth in the bill. A civil celebrant subject to a revocation hearing before an administrative law judge or any appeal thereof would not be authorized to solemnize marriages or civil unions, and would only again be authorized to do so if a final determination is made permitting the civil celebrant to retain the certification.

Additionally, besides authorizing certified civil celebrants to solemnize marriages or civil unions, the bill would modernize language in the current law permitting solemnization by “every *minister* of every religion” by changing the phrase to “every *member of the clergy* of every religion.”

The committee amendments to the bill:

- provide for the certification of civil celebrants by the Secretary of State in order for such celebrants to be authorized to solemnize marriages or civil unions;
- establish the criteria for the certification of civil celebrants, as detailed above; and
- update the effective date of the bill due to the changes presented in the amendments, to delay the effective date to the first day of the fourth month next following enactment, and permit the Secretary of State to take any anticipatory administrative action in advance of that date as determined necessary to implement the bill’s provisions.

The bill, as amended and reported by the committee, is identical to Senate Bill No. 2155, also amended and reported by the committee today.

SENATE, No. 2155

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JULY 30, 2012

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

Senator B.Smith

SYNOPSIS

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CURRENT VERSION OF TEXT

As introduced.



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2 R.S.37:1-13.

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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, county clerk and any mayor
17 or the deputy mayor when authorized by the mayor, or chairman of
18 any township committee or village president of this State, **[and]**
19 every **[minister]** member of the clergy of every religion and any
20 civil celebrant who is trained and certified to solemnize marriages
21 or civil unions from an established non-denominational or
22 educational non-profit organization dedicated to training such
23 individuals, are hereby authorized to solemnize marriages or civil
24 unions between such persons as may lawfully enter into the
25 matrimonial relation or civil union; and every religious society,
26 institution or organization in this State may join together in
27 marriage or civil union such persons according to the rules and
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10 member of the clergy of every religion.”

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2155

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 16, 2013

The Senate Judiciary Committee reports favorably and with committee amendments Senate Bill No. 2155.

This bill, as amended, would authorize civil celebrants who are certified by the Secretary of State to solemnize marriages or civil unions. In order to be certified, a civil celebrant would have to meet the following criteria:

(1) be at least 18 years of age and a graduate of a secondary school (i.e., high school) in this State or another state;

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