

SENATE BILL No. 1176

February 25, 2010, Introduced by Senator CHERRY and referred to the Committee on Judiciary.

A bill to amend 1846 RS 83, entitled
"Of marriage and the solemnization thereof,"
by amending section 7 (MCL 551.7), as amended by 2008 PA 47.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) Marriages may be solemnized by any of the
2 following:

3 (a) A judge of the district court, in the district in which
4 the judge is serving.

5 (b) A district court magistrate, in the district in which the
6 magistrate serves.

7 (c) A municipal judge, in the city in which the judge is
8 serving or in a township over which a municipal court has
9 jurisdiction under section 9928 of the revised judicature act of

1 1961, 1961 PA 236, MCL 600.9928.

2 (d) A judge of probate, in the county or probate court
3 district in which the judge is serving.

4 (e) A judge of a federal court.

5 (f) A mayor of a city, anywhere in a county in which that city
6 is located.

7 (g) A county clerk in the county in which the clerk serves, or
8 in another county with the written authorization of the clerk of
9 the other county.

10 (h) For a county having more than 2,000,000 inhabitants, an
11 employee of the county clerk's office designated by the county
12 clerk, in the county in which the clerk serves.

13 (i) A minister of the gospel or cleric or religious
14 practitioner, anywhere in the state, if the minister or cleric or
15 religious practitioner is ordained or authorized to solemnize
16 marriages according to the usages of the denomination.

17 (j) A minister of the gospel or cleric or religious
18 practitioner, anywhere in the state, if the minister or cleric or
19 religious practitioner is not a resident of this state but is
20 authorized to solemnize marriages under the laws of the state in
21 which the minister or cleric or religious practitioner resides.

22 (2) A person authorized by this act to solemnize a marriage
23 shall keep proper records and make returns as required by section 4
24 of 1887 PA 128, MCL 551.104.

25 (3) If a mayor of a city solemnizes a marriage, the mayor
26 shall charge and collect a fee to be determined by the ~~council~~
27 **LEGISLATIVE BODY** of that city, which shall be paid to the city

1 treasurer and deposited in the general fund of the city at the end
2 of the month.

3 (4) If the county clerk or, in a county having more than
4 2,000,000 inhabitants, an employee of the clerk's office designated
5 by the county clerk solemnizes a marriage, the county clerk shall
6 charge and collect a fee to be determined by the **COUNTY BOARD OF**
7 commissioners of the county in which the clerk serves. The fee
8 shall be paid to the treasurer for the county in which the clerk
9 serves and deposited in the general fund of that county at the end
10 of the month.

11 (5) **AS USED IN THIS SECTION, "MINISTER OF THE GOSPEL OR CLERIC**
12 **OR RELIGIOUS PRACTITIONER" DOES NOT INCLUDE A MINISTER, CLERIC, OR**
13 **PRACTITIONER WHO WAS ORDAINED BY MAIL OR BY THE INTERNET OR OTHER**
14 **ELECTRONIC MEANS.**