

Legislative Analysis



MARRIAGE CEREMONIES IN WAYNE COUNTY

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Senate Bill 153

Sponsor: Sen. Morris Hood

House Committee: Local Government

Senate Committee: Judiciary

Complete to 4-30-14

A SUMMARY OF SENATE BILL 153 AS PASSED BY THE SENATE 6-19-13

The bill would continue to allow an employee designated by the county clerk of Wayne County to solemnize marriages in that county; that is, to perform marriage ceremonies. It would amend Chapter 83 of the Revised Statutes of 1846, which provides for the solemnization of marriages.

Now under the law, a county clerk in a county having more than 2 *million inhabitants* may designate an employee of the clerk's office to solemnize marriages. That designated employee may solemnize a marriage only in the county in which the clerk serves. This provision has applied only to Wayne County.

Senate Bill 153 would retain but modify this provision, so that a designated employee of a county clerk's office in a county having more than 1.5 *million inhabitants* could solemnize a marriage in the county in which the clerk served. The provision would still apply only to Wayne County, whose population fell below the 2 million mark in the 2010 federal decennial census. (Note: Wayne County's population in the 2010 census was 1,820,584. As recently as 2000, it had been 2,061,162. The next largest county, Oakland, had a population of just over 1.2 million in 2010.)

BACKGROUND INFORMATION:

Chapter 83 of the Revised Statutes of 1846 lists the officials who may solemnize a marriage in Michigan (that is, perform a wedding). In addition to religious leaders, those officials who may act anywhere in the state include district court judges, district court magistrates, probate judges, and federal court judges; those officials who may marry couples anywhere in a county include city mayors within the county and county clerks. Further, a county clerk can solemnize a marriage in any of Michigan's 83 counties with the written authorization of a particular county's clerk.

FISCAL IMPACT:

Because the bill would maintain the current situation with regard to whom may solemnize marriages, it would have no fiscal impact on the state or local units of government.

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