

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 59

Short Title: Any Judge/Justice May Perform Marriage. (Public)

Sponsors: Senator Rand.

Referred to: Judiciary I.

February 5, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT ALLOWING ANY JUDGE OR JUSTICE TO PERFORM MARRIAGE  
3 CEREMONIES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 51-1 reads as rewritten:

6 "**§ 51-1. Requisites of marriage; solemnization.**

7 A valid and sufficient marriage is created by the consent of a male and female person who  
8 may lawfully marry, presently to take each other as husband and wife, freely, seriously and  
9 plainly expressed by each in the presence of the other, either:

10 (1) a. In the presence of an ordained minister of any religious  
11 denomination, a minister authorized by a church, a judge or justice of  
12 the trial court or appellate divisions of the General Court of Justice,  
13 or a magistrate; and

14 b. With the consequent declaration by the ~~minister~~ minister, judge or  
15 justice of the trial court or appellate divisions of the General Court of  
16 Justice, or magistrate that the persons are husband and wife; or

17 (2) In accordance with any mode of solemnization recognized by any religious  
18 denomination, or federally or State recognized Indian Nation or Tribe.

19 Marriages solemnized before March 9, 1909, by ministers of the gospel licensed, but not  
20 ordained, are validated from their consummation."

21 **SECTION 2.** This act is effective when it becomes law.

