

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 325

By: Burns

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5
6 AS INTRODUCED

7 An Act relating to marriage; amending 43 O.S. 2011,
8 Section 7, which relates to solemnization of
9 marriages; prohibiting requirement for filing of
10 certain credentials or authority; requiring
destruction of certain records; prohibiting retention
of copies of certain records; and providing an
effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 43 O.S. 2011, Section 7, is
15 amended to read as follows:

16 Section 7. A. All marriages must be contracted by a formal
17 ceremony performed or solemnized in the presence of at least two
18 adult, competent persons as witnesses, by a judge or retired judge
19 of any court in this state, or an ordained or authorized preacher or
20 minister of the Gospel, priest or other ecclesiastical dignitary of
21 any denomination who has been duly ordained or authorized by the
22 church to which he or she belongs to preach the Gospel, or a rabbi
23 and who is at least eighteen (18) years of age.
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1 B. 1. The judge shall place his or her order of appointment on
2 file with the office of the court clerk of the county in which he or
3 she resides.

4 2. ~~The No~~ preacher, minister, priest, rabbi, or ecclesiastical
5 dignitary ~~who is a resident of this state shall have filed, in the~~
6 ~~office of the court clerk of the county in which he or she resides,~~
7 ~~a copy of the~~ be required to file any credentials or authority from
8 his or her church or synagogue authorizing him or her to solemnize
9 marriages. Any such credentials or authority filed in the office of
10 the court clerk in any county in this state prior to the effective
11 date of this act shall be destroyed by the office of the court clerk
12 and no copies of such credentials or authority shall be retained in
13 any format by any governmental entity.

14 3. ~~The preacher, minister, priest, rabbi, or ecclesiastical~~
15 ~~dignitary who is not a resident of this state, but has complied with~~
16 ~~the laws of the state of which he or she is a resident, shall have~~
17 ~~filed once, in the office of the court clerk of the county in which~~
18 ~~he or she intends to perform or solemnize a marriage, a copy of the~~
19 ~~credentials or authority from his or her church or synagogue~~
20 ~~authorizing him or her to solemnize marriages.~~

21 4. ~~The filing by resident or nonresident preachers, ministers,~~
22 ~~priests, rabbis, ecclesiastical dignitaries or judges shall be~~
23 ~~effective in and for all counties of this state; provided, no fee~~
24 ~~shall be charged for such recording.~~

1 C. No person herein authorized to perform or solemnize a
2 marriage ceremony shall do so unless the license issued therefor be
3 first delivered into his or her possession nor unless he or she has
4 good reason to believe the persons presenting themselves before him
5 or her for marriage are the identical persons named in the license,
6 and for whose marriage the same was issued, and that there is no
7 legal objection or impediment to such marriage.

8 D. Marriages between persons belonging to the society called
9 Friends, or Quakers, the spiritual assembly of the Baha'is, or the
10 Church of Jesus Christ of Latter Day Saints, which have no ordained
11 minister, may be solemnized by the persons and in the manner
12 prescribed by and practiced in any such society, church, or
13 assembly.

14 SECTION 2. This act shall become effective November 1, 2021.

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