

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1042*

Short Title: Marriage by Superior/District Court Judge. (Public)

Sponsors: Senator Rand.

Referred to: Rules Suspended; Passed 2nd and 3rd; Sent to House.

May 10, 2004

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A SUPERIOR COURT JUDGE OR A DISTRICT COURT
3 JUDGE TO PERFORM MARRIAGE 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
8 person who may lawfully marry, presently to take each other as husband and wife,
9 freely, seriously and 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 superior
12 court judge of this State, a district court judge of this State, or a
13 magistrate; and

14 b. With the consequent declaration by the ~~minister~~minister,
15 superior court judge, district court judge, or magistrate that the
16 persons are husband and wife; or

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

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

22 SECTION 2. This act is effective when it becomes law and expires on June
23 6, 2004.