

HOUSE BILL NO. 5675

January 18, 2022, Introduced by Reps. Peterson, Sneller, Coleman, Brenda Carter, Rogers, Brixie, Steenland, Garza, Liberati, Puri, Ellison, Cynthia Johnson, Markkanen, Sowerby, Brabec, Yaroach, Whitsett, Cavanagh, Hood and Jones and referred to the Committee on Families, Children, and Seniors.

A bill to amend 1846 RS 83, entitled
"Of marriage and the solemnization thereof,"
by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as
amended by 2014 PA 278 and section 16 as amended by 2006 PA 419.

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, anywhere in this state.
4 (b) A district court magistrate, anywhere in this state.

1 (c) A municipal judge, in the city in which the judge is
2 serving or in a township over which a municipal court has
3 jurisdiction under section 9928 of the revised judicature act of
4 1961, 1961 PA 236, MCL 600.9928.

5 (d) A judge of probate, anywhere in this state.

6 (e) A judge of a federal court.

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

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

12 (h) For a county having **a population of** more than 1,500,000
13 ~~inhabitants, based on the 2010 federal decennial census~~, an
14 employee of the county clerk's office designated by the county
15 clerk, in the county in which the clerk serves.

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

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

25 **(k) A supervisor of a township in the county in which that**
26 **township is located.**

27 (2) A person authorized by this act to solemnize a marriage
28 shall keep proper records and return licenses and certificates as
29 required by section 4 of 1887 PA 128, MCL 551.104.

1 (3) If a mayor of a city solemnizes a marriage, the mayor
 2 shall charge and collect a fee to be determined by the council of
 3 that city, which shall be paid to the city treasurer and deposited
 4 in the general fund of the city at the end of the month.

5 (4) If the county clerk or, in a county having **a population of**
 6 **more than 1,500,000 inhabitants, based on the 2010 federal**
 7 **decennial census**, an employee of the clerk's office designated by
 8 the county clerk solemnizes a marriage, the county clerk shall
 9 charge and collect a fee to be determined by the commissioners of
 10 the county in which the clerk serves. The fee shall be paid to the
 11 treasurer for the county in which the clerk serves and deposited in
 12 the general fund of that county at the end of the month.

13 (5) **If a supervisor of a township solemnizes a marriage, the**
 14 **township supervisor shall charge and collect a fee to be determined**
 15 **by the board of that township, which shall be paid to the township**
 16 **treasurer and deposited in the general fund of the township at the**
 17 **end of the month.**

18 Sec. 16. A marriage solemnized before an individual professing
 19 to be a district judge, ~~common pleas court judge,~~ district court
 20 magistrate, municipal judge, judge of probate, judge of a federal
 21 court, mayor, the county clerk or, in a county having **a population**
 22 **of more than 2,000,000 inhabitants, 1,500,000 based on the 2010**
 23 **federal decennial census**, an employee of the county clerk
 24 designated by the clerk to solemnize marriages, ~~or a minister of~~
 25 ~~the gospel or cleric or religious practitioner, shall not be~~
 26 ~~considered or adjudged to be~~ **or supervisor of a township is not**
 27 ~~void, nor shall~~ **and** the validity of the marriage ~~be~~ **is not**
 28 ~~affected, on account of a want~~ **lack** of jurisdiction or authority by
 29 that individual if the marriage was consummated with a full belief

- 1 on the part of the individuals married, or either of them, that
- 2 they were lawfully joined in marriage.