

HOUSE BILL No. 5811

March 19, 2002, Introduced by Reps. Vander Roest, Stewart, Mead, Spade, Ehardt, Vear, Voorhees, Raczkowski, Julian, Drolet and Lemmons and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 1983 PA 64.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7. (1) ~~Marriages~~ A MARRIAGE may be solemnized by
2 ~~any of~~ the following:

3 (a) A ~~judge of the district court, in the district in which~~
4 ~~the judge is serving~~ SUPREME COURT JUSTICE OR A COURT OF
5 APPEALS, CIRCUIT, DISTRICT, MUNICIPAL, PROBATE, OR FEDERAL JUDGE,
6 ANYWHERE IN THE STATE.

7 (b) A RETIRED JUDGE WHILE ASSIGNED AS A SITTING JUDGE, ANY-
8 WHERE IN THE STATE. A RETIRED JUDGE ELIGIBLE TO BE ASSIGNED AS A
9 SITTING JUDGE MAY BE ASSIGNED AS A SITTING JUDGE OF A COURT FOR
10 THE PURPOSE OF SOLEMNIZING MARRIAGES FOR A PERIOD NOT TO EXCEED 1
11 YEAR.

1 (C) ~~(b)~~ A district court magistrate, in the district in
2 which the magistrate serves.

3 ~~(c) A municipal judge, in the city in which the judge is~~
4 ~~servicing or in a township over which a municipal court has juris-~~
5 ~~diction pursuant to section 9928 of Act No. 236 of the Public~~
6 ~~Acts of 1961, being section 600.9928 of the Michigan Compiled~~
7 ~~Laws.~~

8 ~~(d) A judge of probate, in the county or probate court dis-~~
9 ~~trict in which the judge is serving.~~

10 ~~(e) A judge of a federal court.~~

11 (D) ~~(f)~~ A mayor of a city, in the city in which the mayor
12 serves.

13 (E) ~~(g)~~ The county clerk of a county having more than
14 2,000,000 inhabitants or an employee of the clerk's office desig-
15 nated by the county clerk, in the county in which the clerk
16 serves.

17 (F) ~~(h)~~ A minister of the gospel, anywhere in the state,
18 if the minister is ordained or authorized to solemnize marriages
19 according to the usages of the denomination, and is a pastor of a
20 church in this state, or continues to preach the gospel in this
21 state.

22 (G) ~~(i)~~ A minister of the gospel, anywhere in the state,
23 if the minister is not a resident of this state but is authorized
24 to solemnize marriages under the laws of the state in which the
25 minister resides.

26 (2) A person authorized by this act to solemnize a marriage
27 shall keep proper records and make returns as required by section

1 4 of ~~Act No. 128 of the Public Acts of 1887, as amended, being~~
2 ~~section 551.104 of the Michigan Compiled Laws 1887 PA 128,~~
3 MCL 551.104.

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

9 (4) If the county clerk of a county having more than
10 2,000,000 inhabitants or an employee of the clerk's office desig-
11 nated by the county clerk solemnizes a marriage, the county clerk
12 shall charge and collect a fee to be determined by the commis-
13 sioners of ~~that~~ THE county, which shall be paid to the county
14 treasurer and deposited in the general fund of the county at the
15 end of the month.