

HOUSE BILL No. 4855

September 9, 2015, Introduced by Rep. Glenn and referred to the Committee on Government Operations.

A bill to amend 1846 RS 83, entitled
"Of marriage and the solemnization thereof,"
(MCL 551.1 to 551.18) by adding section 8.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 8. (1) A MINISTER OF THE GOSPEL, CLERIC, OR RELIGIOUS
2 PRACTITIONER IS NOT REQUIRED TO SOLEMNIZE OR RECOGNIZE A MARRIAGE
3 THAT VIOLATES HIS OR HER CONSCIENCE OR RELIGIOUS BELIEFS. A
4 MINISTER OF THE GOSPEL, CLERIC, OR RELIGIOUS PRACTITIONER IS IMMUNE
5 FROM ANY CIVIL CLAIM OR CAUSE OF ACTION BASED ON A REFUSAL TO
6 SOLEMNIZE OR RECOGNIZE A MARRIAGE THAT VIOLATES HIS OR HER
7 CONSCIENCE OR RELIGIOUS BELIEFS.

8 (2) AS USED IN THIS SECTION:

9 (A) "MINISTER OF THE GOSPEL, CLERIC, OR RELIGIOUS
10 PRACTITIONER" INCLUDES AN INDIVIDUAL WHO IS ORDAINED BY A RELIGIOUS

1 ORGANIZATION.

2 (B) "RECOGNIZE" MEANS TO PROVIDE RELIGIOUS-BASED SERVICES THAT
3 ARE BOTH OF THE FOLLOWING:

4 (i) DELIVERED BY A RELIGIOUS ORGANIZATION OR BY AN INDIVIDUAL
5 WHO IS MANAGED, SUPERVISED, OR DIRECTED BY A RELIGIOUS
6 ORGANIZATION.

7 (ii) DESIGNED FOR A MARRIED COUPLE OR A COUPLE ENGAGED TO
8 MARRY AND DIRECTLY RELATED TO SOLEMNIZING, CELEBRATING,
9 STRENGTHENING, OR PROMOTING A MARRIAGE, SUCH AS RELIGIOUS
10 COUNSELING PROGRAMS, COURSES, RETREATS, WORKSHOPS, AND SERVICES
11 PROVIDED AT A WEDDING CHAPEL.

12 (C) "RELIGIOUS ORGANIZATION" MEANS A CHURCH, SEMINARY,
13 SYNAGOGUE, TEMPLE, MOSQUE, RELIGIOUS ORDER, RELIGIOUS CORPORATION,
14 ASSOCIATION, OR SOCIETY WHOSE IDENTITY IS DISTINCTIVE IN TERMS OF
15 COMMON RELIGIOUS CREED, BELIEFS, DOCTRINES, PRACTICES, OR RITUALS
16 OF ANY FAITH OR DENOMINATION, INCLUDING A FOR-PROFIT ORGANIZATION
17 AND ANY ORGANIZATION QUALIFYING AS A CHURCH OR RELIGIOUS
18 ORGANIZATION UNDER SECTION 501(C) (3) OR 501(D) OF THE UNITED STATES
19 INTERNAL REVENUE CODE OF 1986.

20 Enacting section 1. This amendatory act takes effect 90 days
21 after the date it is enacted into law.