AN ACT

Relating to marriage solemnization; and authorizing elected public officials in the state to solemnize marriages.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1
AN ACT

Relating to marriage solemnization; and authorizing elected public officials in the state to
solemnize marriages.

* Section 1. AS 25.05.261(a) is amended to read:
  (a) Marriages may be solemnized
      (1) by a minister, priest, or rabbi of any church or congregation in the
          state, or by a commissioned officer of the Salvation Army, or by the principal officer
          or elder of recognized churches or congregations that traditionally do not have regular
          ministers, priests, or rabbis, anywhere within the state;
      (2) by a marriage commissioner or judicial officer of the state
          anywhere within the jurisdiction of the commissioner or officer; [OR]
      (3) before or in any religious organization or congregation according to
          the established ritual or form commonly practiced in the organization or congregation;

or
(4) by an individual holding an elective public office in the state.

* Sec. 2. AS 25.05.261 is amended by adding a new subsection to read:

(c) Nothing in this section creates or implies a duty or obligation on a person authorized to solemnize a marriage under (a)(1), (3), or (4) of this section to solemnize any marriage.

* Sec. 3. AS 25.05.281 is amended to read:

Sec. 25.05.281. Marriage solemnized by unauthorized person. After a license has been obtained, a marriage solemnized before a person professing to be a person authorized to solemnize marriages in the state under AS 25.05.261(a) [MINISTER, PRIEST, OR RABBI OF A CHURCH OR CONGREGATION IN THE STATE OR A JUDICIAL OFFICER OR MARRIAGE COMMISSIONER] is valid regardless of a lack of power or authority in the person, if the marriage is consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.