

**CS FOR HOUSE BILL NO. 20(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 3/15/17**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVE CLAMAN**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to marriage solemnization; and authorizing elected public officials in**  
2   **the state to solemnize marriages."**

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

4    \* **Section 1.** AS 25.05.261(a) is amended to read:

5           (a) Marriages may be solemnized

6                   (1) by a minister, priest, or rabbi of any church or congregation in the  
7           state, or by a commissioned officer of the Salvation Army, or by the principal officer  
8           or elder of recognized churches or congregations that traditionally do not have regular  
9           ministers, priests, or rabbis, anywhere within the state;

10                   (2) by a marriage commissioner or judicial officer of the state  
11           anywhere within the jurisdiction of the commissioner or officer; [OR]

12                   (3) before or in any religious organization or congregation according to  
13           the established ritual or form commonly practiced in the organization or congregation;

14    **or**

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

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

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

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

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