

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1042*
House Committee Substitute Favorable 5/12/04

Short Title: Marriage by Superior Court Judge.

(Public)

Sponsors:

Referred to:

May 10, 2004

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW A SUPERIOR COURT JUDGE TO PERFORM MARRIAGE
3 CEREMONIES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 51-1 reads as rewritten:

6 "**§ 51-1. Requisites of marriage; solemnization.**

7 A valid and sufficient marriage is created by the consent of a male and female
8 person who may lawfully marry, presently to take each other as husband and wife,
9 freely, seriously and plainly expressed by each in the presence of the other, either:

10 (1) a. In the presence of an ordained minister of any religious
11 denomination, a minister authorized by a church, a superior
12 court judge of this State, or a magistrate; and

13 b. With the consequent declaration by the ~~minister~~ minister,
14 superior court judge, or magistrate that the persons are husband
15 and wife; or

16 (2) In accordance with any mode of solemnization recognized by any
17 religious denomination, or federally or State recognized Indian Nation
18 or Tribe.

19 Marriages solemnized before March 9, 1909, by ministers of the gospel licensed, but
20 not ordained, are validated from their consummation."

21 **SECTION 2.** This act is effective when it becomes law and expires on May
22 16, 2004.