

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 494

Short Title: Superior Court Judge May Perform Marriage. (Public)

Sponsors: Representatives Wainwright, Blue, Pierce (Primary Sponsors); Hughes, Mackey, and Wray.

Referred to: Judiciary II, if favorable, Appropriations.

March 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT ALLOWING 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 person who
8 may lawfully marry, presently to take each other as husband and wife, freely, seriously and
9 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, judge of the
12 superior court, or a magistrate; and

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

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

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

20 **SECTION 2.** This act becomes effective April 8, 2009, and expires April 15, 2009.

