

AMENDED IN SENATE MAY 8, 2012

SENATE BILL

No. 991

Introduced by Senators Runner and Wright

February 1, 2012

An act to amend Section ~~400~~ *400.1* of the Family Code, relating to marriage.

LEGISLATIVE COUNSEL'S DIGEST

SB 991, as amended, Runner. Marriage: solemnization.

Existing law provides that a marriage may be solemnized by authorized persons of any religious denomination, by specified legislators, constitutional officers, and California Members of Congress, while those persons are currently holding that office, by specified justices, judges, and magistrates, both current and retired, by the county clerk, and by an elected city mayor, as specified. *Existing law requires an elected mayor to obtain and review from the county clerk all available instructions for marriage solemnization before first solemnizing a marriage.*

This bill would additionally authorize a county supervisor to solemnize a marriage *and would also impose the above-described requirements for the elected mayor on the county supervisor.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 400.1 of the Family Code is amended to*
2 *read:*

1 400.1. In addition to the persons specified in Section 400,
 2 marriage may also be solemnized by *a county supervisor or a*
 3 *mayor of a city elected in accordance with Article 3 (commencing*
 4 *with Section 34900) of Chapter 4 of Part 1 of Division 2 of Title*
 5 *4 of the Government Code, while that person holds office. The*
 6 *county supervisor or mayor shall obtain and review from the county*
 7 *clerk all available instructions for marriage solemnization before*
 8 *the county supervisor or mayor first solemnizes a marriage.*

9 ~~SECTION 1. Section 400 of the Family Code is amended to~~
 10 ~~read:~~

11 ~~400. Marriage may be solemnized by any of the following who~~
 12 ~~is of the age of 18 years or older:~~

13 ~~(a) A priest, minister, rabbi, or authorized person of any religious~~
 14 ~~denomination:~~

15 ~~(b) A judge or retired judge, commissioner of civil marriages~~
 16 ~~or retired commissioner of civil marriages, commissioner or retired~~
 17 ~~commissioner, or assistant commissioner of a court of record in~~
 18 ~~this state.~~

19 ~~(c) A judge or magistrate who has resigned from office.~~

20 ~~(d) Any of the following judges or magistrates of the United~~
 21 ~~States:~~

22 ~~(1) A justice or retired justice of the United States Supreme~~
 23 ~~Court.~~

24 ~~(2) A judge or retired judge of a court of appeals, a district court,~~
 25 ~~or a court created by an act of Congress the judges of which are~~
 26 ~~entitled to hold office during good behavior.~~

27 ~~(3) A judge or retired judge of a bankruptcy court or a tax court.~~

28 ~~(4) A United States magistrate or retired magistrate.~~

29 ~~(e) A legislator or constitutional officer of this state, a Member~~
 30 ~~of Congress who represents a district within this state, or a county~~
 31 ~~supervisor, while that person holds office.~~