

Act No. 419
Public Acts of 2006
Approved by the Governor
September 29, 2006
Filed with the Secretary of State
September 29, 2006
EFFECTIVE DATE: September 29, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Taub, Stakoe and Amos

ENROLLED HOUSE BILL No. 4086

AN ACT to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 1983 PA 64.

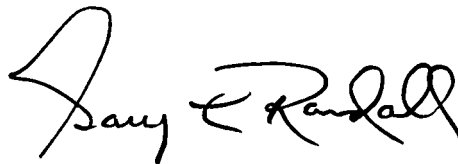
The People of the State of Michigan enact:

Sec. 7. (1) Marriages may be solemnized by any of the following:


- (a) A judge of the district court, in the district in which the judge is serving.
 - (b) A district court magistrate, in the district in which the magistrate serves.
 - (c) A municipal judge, in the city in which the judge is serving or in a township over which a municipal court has jurisdiction according to section 9928 of the revised judicature act of 1961, 1961 PA 236, MCL 600.9928.
 - (d) A judge of probate, in the county or probate court district in which the judge is serving.
 - (e) A judge of a federal court.
 - (f) A mayor of a city, in the city in which the mayor serves.
 - (g) The county clerk in the county in which the clerk serves or, in a county having more than 2,000,000 inhabitants, an employee of the clerk's office designated by the county clerk in the county in which the clerk serves.
 - (h) A minister of the gospel or cleric or religious practitioner, anywhere in the state, if the minister or cleric or religious practitioner is ordained or authorized to solemnize marriages according to the usages of the denomination.
 - (i) A minister of the gospel or cleric or religious practitioner, anywhere in the state, if the minister or cleric or religious practitioner is not a resident of this state but is authorized to solemnize marriages under the laws of the state in which the minister or cleric or religious practitioner resides.
- (2) A person authorized by this act to solemnize a marriage shall keep proper records and make returns as required by section 4 of 1887 PA 128, MCL 551.104.
- (3) If a mayor of a city solemnizes a marriage, the mayor shall charge and collect a fee to be determined by the council of that city, which shall be paid to the city treasurer and deposited in the general fund of the city at the end of the month.
- (4) If the county clerk or, in a county having more than 2,000,000 inhabitants, an employee of the clerk's office designated by the county clerk solemnizes a marriage, the county clerk shall charge and collect a fee to be determined by the commissioners of that county, which shall be paid to the county treasurer and deposited in the general fund of the county at the end of the month.

Sec. 16. A marriage solemnized before an individual professing to be a district judge, common pleas court judge, district court magistrate, municipal judge, judge of probate, judge of a federal court, mayor, the county clerk or, in a county having more than 2,000,000 inhabitants, an employee of the county clerk designated by the clerk to solemnize marriages, or a minister of the gospel or cleric or religious practitioner shall not be considered or adjudged to be void, nor shall the validity of the marriage be affected, on account of a want of jurisdiction or authority by that individual if the marriage was consummated with a full belief on the part of the individuals married, or either of them, that they were lawfully joined in marriage.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor