

HOUSE BILL No. 4628

April 25, 2013, Introduced by Rep. Barnett and referred to the Committee on Families,
Children, and Seniors.

A bill to amend 1846 RS 83, entitled
"Of marriage and the solemnization thereof,"
by amending section 7 (MCL 551.7), as amended by 2012 PA 265.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

3 (a) A judge of the district court, anywhere in this state.

4 (b) A district court magistrate, anywhere in this state.

5 (c) A municipal judge, in the city in which the judge is
6 serving or in a township over which a municipal court has
7 jurisdiction under section 9928 of the revised judicature act of
8 1961, 1961 PA 236, MCL 600.9928.

9 (d) A judge of probate, anywhere in this state.

10 (e) A judge of a federal court.

1 (f) A mayor of a city, anywhere in a county in which that city
2 is located.

3 (g) A county clerk in the county in which the clerk serves, or
4 in another county with the written authorization of the clerk of
5 the other county.

6 (h) For a county having more than 2,000,000 inhabitants, an
7 employee of the county clerk's office designated by the county
8 clerk, in the county in which the clerk serves.

9 (i) A minister of the gospel or cleric or religious
10 practitioner, anywhere in this state, if the minister or cleric or
11 religious practitioner is ordained or authorized to solemnize
12 marriages according to the usages of the denomination.

13 (j) A minister of the gospel or cleric or religious
14 practitioner, anywhere in this state, if the minister or cleric or
15 religious practitioner is not a resident of this state but is
16 authorized to solemnize marriages under the laws of the state in
17 which the minister or cleric or religious practitioner resides.

18 **(K) A NOTARY PUBLIC, ANYWHERE IN THIS STATE.**

19 (2) A person authorized by this act to solemnize a marriage
20 shall keep proper records and return licenses and certificates as
21 required by section 4 of 1887 PA 128, MCL 551.104.

22 (3) If a mayor of a city solemnizes a marriage, the mayor
23 shall charge and collect a fee to be determined by the council of
24 that city, which shall be paid to the city treasurer and deposited
25 in the general fund of the city at the end of the month.

26 (4) If the county clerk or, in a county having more than
27 2,000,000 inhabitants, an employee of the clerk's office designated

1 by the county clerk solemnizes a marriage, the county clerk shall
2 charge and collect a fee to be determined by the commissioners of
3 the county in which the clerk serves. The fee shall be paid to the
4 treasurer for the county in which the clerk serves and deposited in
5 the general fund of that county at the end of the month.

6 (5) IF A NOTARY PUBLIC SOLEMNIZES A MARRIAGE, THE NOTARY
7 PUBLIC MAY CHARGE AND COLLECT A REASONABLE FEE FOR PROVIDING THE
8 SERVICE. THE NOTARY PUBLIC MAY RETAIN ANY FEE HE OR SHE COLLECTS
9 FOR SOLEMNIZING A MARRIAGE.