

# SENATE BILL No. 935

January 29, 2004, Introduced by Senators CHERRY, OLSHOVE, TOY and SWITALSKI and referred to the Committee on Judiciary.

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

## 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, in the district in which  
4 the judge is serving.

5       (b) A district court magistrate, in the district in which the  
6 magistrate serves.

7       (c) A municipal judge, in the city in which the judge is  
8 serving or in a township over which a municipal court has  
9 jurisdiction ~~pursuant~~ **according** to section 9928 of ~~Act No.~~  
10 ~~236 of the Public Acts of 1961, being section 600.9928 of the~~  
11 ~~Michigan Compiled Laws~~ **the revised judicature act of 1961, 1961**

1 PA 236, MCL 600.9928.

2 (d) A judge of probate, in the county or probate court  
3 district in which the judge is serving.

4 (e) A judge of a federal court.

5 (f) A mayor of a city, **anywhere** in ~~the city~~ **a county** in  
6 which ~~the mayor serves~~ **that city is located**.

7 (g) The county clerk of a county having more than 2,000,000  
8 inhabitants or an employee of the clerk's office designated by  
9 the county clerk, in the county in which the clerk serves.

10 (h) A minister of the gospel, anywhere in the state, if the  
11 minister is ordained or authorized to solemnize marriages  
12 according to the usages of the denomination, and is a pastor of a  
13 church in this state, or continues to preach the gospel in this  
14 state.

15 (i) A minister of the gospel, anywhere in the state, if the  
16 minister is not a resident of this state but is authorized to  
17 solemnize marriages under the laws of the state in which the  
18 minister resides.

19 (2) A person authorized by this act to solemnize a marriage  
20 shall keep proper records and make returns as required by section  
21 4 of ~~Act No. 128 of the Public Acts of 1887, as amended, being~~  
22 ~~section 551.104 of the Michigan Compiled Laws~~ **1887 PA 128, MCL**  
23 **551.104**.

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

1 month.

2       (4) If the county clerk of a county having more than  
3 2,000,000 inhabitants or an employee of the clerk's office  
4 designated by the county clerk solemnizes a marriage, the county  
5 clerk shall charge and collect a fee to be determined by the  
6 commissioners of that county, ~~which~~ **that** shall be paid to the  
7 county treasurer and deposited in the general fund of the county  
8 at the end of the month.