

HB 4152 A STAFF MEASURE SUMMARY

Senate Committee On Veterans, Emergency Management, Federal and World Affairs

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Meeting Dates: 2/24

WHAT THE MEASURE DOES:

The measure prohibits county clerks from refusing to issue marriage licenses because a service member is not physically present. Service members are considered members of the Armed Forces, and the measure permits them to sign a marriage license application electronically. It only allows solemnization if the marriage is solemnized by a judicial officer, the service member participates remotely, and other statutory requirements are met. It allows judicial officers to waive the fee under ORS 106.120 for marriage solemnization.

Fiscal impact: Has minimal fiscal impact

Revenue impact: No revenue impact

HOUSE VOTE: Ayes, 57; Nays, 1

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Current state law on marriage solemnization (ORS 106.150) requires that the parties assent or declare in the presence of a person, religious organization or congregation, or secular organization authorized to solemnize marriages that they take each other to be spouses in a marriage. This must also occur in the presence of at least two witnesses.

Current state law (ORS 106.041) does not require the physical presence of both parties to submit a marriage license application through county offices; however, most Oregon counties do require both parties to be physically present to submit the application.