

HB 4152 A STAFF MEASURE SUMMARY

Carrier: Rep. Watanabe

House Committee On Emergency Management and Veterans

Action Date: 02/10/26

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Boice, Evans, Grayber, Lewis, Skarlatos, Tran, Watanabe

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

The measure clarifies provisions related to marriage licenses and marriage solemnization for U.S. Armed Forces service members who are not physically present due to active service.

Detailed Summary

- Prohibits county clerks from refusing to issue a marriage license if an active duty Armed Forces service member is not physically present at the time of application and can sign the application electronically
- Allows a judicial officer to solemnize a marriage if an active duty Armed Forces service member is unable to be physically present, if the service member appears remotely via a communication device, and all other requirements are met
- Allows the judicial officer to waive solemnization fees

ISSUES DISCUSSED:

- How judges verify the identity of someone using a communication device
- Provisions of the measure

EFFECT OF AMENDMENT:

The amendment deletes lines 13–16 of the measure; reinserts language that if one of the parties to an application for marriage is unable to submit the application by reason of active service, county clerks are prohibited from refusing to issue the marriage license solely because a service member is not physically present; and the service member may sign the application electronically.

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.