

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 602

4
5 By: Senator Harriman

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 9-11-213(a) TO ALLOW FORMER
10 ARKANSAS SUPREME COURT JUSTICES TO SOLEMNIZE MARRIAGES;
11 AND FOR OTHER PURPOSES."

Subtitle

14 "TO ALLOW FORMER ARKANSAS SUPREME COURT
15 JUSTICES TO SOLEMNIZE MARRIAGES."

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code 9-11-213(a) is amended to read as
20 follows:

21 "(a) For the purpose of being registered and perpetuating the
22 evidence thereof, marriage shall be solemnized only by the following
23 persons:

24 (1) The Governor;

25 (2) Any former justice of the Arkansas Supreme Court;

26 ~~-(2)~~ (3) Any judges of the courts of record within this state,
27 including any former judge of a court of record who served at least four
28 (4) or more years;

29 ~~-(3)~~ (4) Any justice of the peace of the county where the marriage
30 is solemnized, including any former justice of the peace who served at
31 least three (3) or more terms since the passage of Arkansas
32 Constitution, Amendment 55;

33 ~~-(4)~~ (5) Any regularly ordained minister or priest of any
34 religious sect or denomination;

35 ~~-(5)~~ (6) The mayor of any city or town;

36 ~~-(6)~~ (7) Any official appointed for that purpose by the quorum

1 court of the county where the marriage is to be solemnized; or

2 ~~—(7)~~ (8) Elected municipal court judges."

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4 SECTION 2. All provisions of this act of a general and permanent
5 nature are amendatory to the Arkansas Code of 1987 Annotated and the
6 Arkansas Code Revision Commission shall incorporate the same in the
7 Code.

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9 SECTION 3. If any provision of this act or the application
10 thereof to any person or circumstance is held invalid, such invalidity
11 shall not affect other provisions or applications of the act which can
12 be given effect without the invalid provision or application, and to
13 this end the provisions of this act are declared to be severable.

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15 SECTION 4. All laws and parts of laws in conflict with this act
16 are hereby repealed.

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18 SECTION 5. EMERGENCY. It is hereby found and determined by the
19 General Assembly that the current law relating to persons who may
20 solemnize marriages is unclear with respect to the authority of some
21 judges; that unless the ambiguity is corrected immediately, marriages by
22 such judges may be the subject of controversy and may leave the validity
23 of some marriages in doubt; that this act is designed to clarify this
24 ambiguity and should be given effect immediately. Therefore, an
25 emergency is declared to exist and this act being immediately necessary
26 for the preservation of the public peace, health and safety shall become
27 effective on the date of its approval by the Governor. If the bill is
28 neither approved nor vetoed by the Governor, it shall become effective
29 on the expiration of the period of time during which the Governor may
30 veto the bill. If the bill is vetoed by the Governor and the veto is
31 overridden, it shall become effective on the date the last house
32 overrides the veto.

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