

## **HB 4152 A STAFF MEASURE SUMMARY**

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

**Prepared By:** Kevin Rancik, LPRO Analyst

**Meeting Dates:** 2/19

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#### **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.