

HB 4152 A STAFF MEASURE SUMMARY

Carrier: Sen. Neron Misslin

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

Action Date: 02/24/26

Action: Do pass the A-Eng bill.

Vote: 4-0-1-0

Yeas: 4 - Manning Jr, Meek, Neron Misslin, Thatcher

Exc: 1 - Smith DB

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Kevin Rancik, LPRO Analyst

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 for solemnizing a marriage under Oregon Revised Statutes (ORS) 106.120.

ISSUES DISCUSSED:

- Provisions of the measure

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.