

# HOUSE BILL REPORT

## ESHB 1083

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**As Passed House:**  
March 5, 2013

**Title:** An act relating to solemnizing marriages.

**Brief Description:** Authorizing judges of tribal courts and administrative law judges to solemnize marriages.

**Sponsors:** House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Appleton, Roberts, Jinkins, Freeman and Hunt).

**Brief History:**

**Committee Activity:**

Community Development, Housing & Tribal Affairs: 1/23/13, 2/5/13 [DPS].

**Floor Activity:**

Passed House: 3/5/13, 95-0.

**Brief Summary of Engrossed Substitute Bill**

- Authorizes administrative law judges and tribal court judges to solemnize marriages.

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### HOUSE COMMITTEE ON COMMUNITY DEVELOPMENT, HOUSING & TRIBAL AFFAIRS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler, Pike, Ryu, Santos and Sawyer.

**Staff:** Sean Flynn (786-7124).

**Background:**

State law does not require the solemnization of a marriage to take any particular form, so long as the parties assent to the marriage in the presence of an authorized person and two witnesses. Certain judicial officers and religious organization officials are authorized to

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solemnize marriages. Authorized judicial officers include supreme court justices, court of appeal judges, superior court judges, judges of courts of limited jurisdiction, supreme court commissioners, court of appeals commissioners, and superior court commissioners.

A marriage that is valid in another jurisdiction is recognized as valid in this state, if not otherwise prohibited or unlawful, under state law.

**Summary of Engrossed Substitute Bill:**

Administrative law judges and judges of tribal courts are authorized to solemnize marriages. A marriage solemnized by a tribal court judge does not create tribal court jurisdiction or affect state court authority, as otherwise provided by law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This helps to harmonize state law with tribal law. It is important to make sure that this does not jeopardize the continued recognition of marriages previously performed by tribal judges.

(Opposed) None.

**Persons Testifying:** Representative Appleton, prime sponsor; and Miguel Perez-Gibson, Colville Tribes.

**Persons Signed In To Testify But Not Testifying:** None.