

# SENATE BILL REPORT

## 2ESHB 1083

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As Reported by Senate Committee On:  
Law & Justice, February 28, 2014

**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 S. Hunt).

**Brief History:** Passed House: 3/05/13, 95-0; 2/11/14, 98-0.  
**Committee Activity:** Law & Justice: 2/19/14, 2/28/14 [DPA].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass as amended.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Kline, Ranking Member; Darneille, Pearson, Pedersen and Roach.

**Staff:** Tim Ford (786-7423)

**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 solemnize marriages. Authorized judicial officers include Supreme Court justices, Court of Appeals judges, superior court judges, district court judges, municipal court judges, 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 Washington State law.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Recommended Amendments):** Judges of tribal courts from a federally recognized tribe are authorized to solemnize marriages. A marriage solemnized by a tribal

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

court judge from a federally recognized tribe does not create tribal court jurisdiction or affect state court authority, as otherwise provided by law.

**EFFECT OF CHANGES MADE BY LAW & JUSTICE COMMITTEE (Recommended Amendments):** Specifies that tribal court judges from a federally recognized tribe may solemnize marriages.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** None.

**Persons Testifying:** No one.