

**Effective 5/4/2022**

**30-1-6 Who may solemnize marriages -- Certificate.**

- (1) As used in this section:
  - (a) "Judge or magistrate of the United States" means:
    - (i) a justice of the United States Supreme Court;
    - (ii) a judge of a court of appeals;
    - (iii) a judge of a district court;
    - (iv) a judge of any court created by an act of Congress, the judges of which are entitled to hold office during good behavior;
    - (v) a judge of a bankruptcy court;
    - (vi) a judge of a tax court; or
    - (vii) a United States magistrate.
  - (b)
    - (i) "Native American spiritual advisor" means an individual who:
      - (A) leads, instructs, or facilitates a Native American religious ceremony or service or provides religious counseling; and
      - (B) is recognized as a spiritual advisor by a federally recognized Native American tribe.
    - (ii) "Native American spiritual advisor" includes a sweat lodge leader, medicine person, traditional religious practitioner, or holy man or woman.
- (2) The following individuals may solemnize a marriage:
  - (a) an individual 18 years old or older who is authorized by a religious denomination to solemnize a marriage;
  - (b) a Native American spiritual advisor;
  - (c) the governor;
  - (d) the lieutenant governor;
  - (e) the state attorney general;
  - (f) the state treasurer;
  - (g) the state auditor;
  - (h) a mayor of a municipality or county executive;
  - (i) a justice, judge, or commissioner of a court of record;
  - (j) a judge of a court not of record of the state;
  - (k) a judge or magistrate of the United States;
  - (l) the county clerk of any county in the state or the county clerk's designee as authorized by Section 17-20-4;
  - (m) a senator or representative of the Utah Legislature;
  - (n) a member of the state's congressional delegation; or
  - (o) a judge or magistrate who holds office in Utah when retired, under rules set by the Supreme Court.
- (3) An individual authorized under Subsection (2) who solemnizes a marriage shall give to the couple married a certificate of marriage that shows the:
  - (a) name of the county from which the license is issued; and
  - (b) date of the license's issuance.
- (4) Except for an individual described in Subsection (2)(l), an individual described in Subsection (2) has discretion to solemnize a marriage.
- (5) Except as provided in Section 17-20-4 and Subsection (2)(l), and notwithstanding any other provision in law, no individual authorized under Subsection (2) to solemnize a marriage may delegate or deputize another individual to perform the function of solemnizing a marriage.

Amended by Chapter 444, 2022 General Session