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81-2-305 Who may solemnize marriages -- Certificate.

- (1) 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;
 - (nn) a member of the state's congressional delegation; or
 - (oo) a judge or magistrate who holds office in Utah when retired, under rules set by the Supreme Court.
- (2) An individual authorized under Subsection (1) 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.
- (3) Except for an individual described in Subsection (1)(l), an individual described in Subsection (1) has discretion to solemnize a marriage.
- (4) Except as provided in Section 17-20-4 and Subsection (1)(l), and notwithstanding any other provision in law, no individual authorized under Subsection (1) to solemnize a marriage may delegate or deputize another individual to perform the function of solemnizing a marriage.
- (5)
 - (a) Within 30 days after the day on which a marriage is solemnized, the individual solemnizing the marriage shall return the marriage license to the county clerk that issued the marriage license with a certificate of the marriage over the individual's signature stating the date and place of solemnization and the names of two or more witnesses present at the marriage.
 - (b) An individual described in Subsection (5)(a) who fails to return the license is guilty of an infraction.
 - (c) An individual described in Subsection (5)(a) who knowingly or intentionally makes a false statement on a certificate of marriage is guilty of perjury and may be prosecuted and punished as provided in Title 76, Chapter 8, Part 5, Falsification in Official Matters.
- (6)
 - (a) An individual is guilty of a third degree felony if the individual knowingly:
 - (i) solemnizes a marriage without a valid marriage license; or
 - (ii) solemnizes a marriage in violation of this section.
 - (b) An individual is guilty of a class A misdemeanor if the individual knowingly, with or without a marriage license, solemnizes a marriage between two individuals who are 18 years old or older that is prohibited by law.

