
SUBSTITUTE HOUSE BILL 1192

State of Washington

66th Legislature

2019 Regular Session

By House Civil Rights & Judiciary (originally sponsored by Representatives Hudgins and Dolan)

1 AN ACT Relating to solemnizing marriage; amending RCW 26.04.050,
2 26.04.070, and 26.04.180; and adding a new section to chapter 26.04
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 26.04.050 and 2017 c 130 s 1 are each amended to
6 read as follows:

7 The following named officers and persons, active or retired, are
8 hereby authorized to solemnize marriages, to wit: Justices of the
9 supreme court, judges of the court of appeals, judges of the superior
10 courts, supreme court commissioners, court of appeals commissioners,
11 superior court commissioners, judges of courts of limited
12 jurisdiction as defined in RCW 3.02.010, judges of tribal courts from
13 a federally recognized tribe, elected officials in the executive or
14 legislative branch of state, county, or municipal government, county
15 auditors, and any regularly licensed or ordained minister or any
16 priest, imam, rabbi, or similar official of any religious
17 organization. The solemnization of a marriage by a tribal court judge
18 pursuant to authority under this section does not create tribal court
19 jurisdiction and does not affect state court authority as otherwise
20 provided by law to enter a judgment for purposes of any dissolution,

1 legal separation, or other proceedings related to the marriage that
2 is binding on the parties and entitled to full faith and credit.

3 **Sec. 2.** RCW 26.04.070 and 2012 c 3 s 6 are each amended to read
4 as follows:

5 In the solemnization of marriage no particular form is required,
6 except that the parties thereto shall assent or declare in the
7 presence of the minister, priest, imam, rabbi, or similar official of
8 any religious organization, elected official, county auditor, or
9 judicial officer solemnizing the same, and in the presence of at
10 least two attending witnesses, that they take each other to be
11 spouses.

12 **Sec. 3.** RCW 26.04.180 and 1985 c 82 s 4 are each amended to read
13 as follows:

14 The county auditor (~~(may)~~) shall issue the marriage license at
15 the time of application(~~(, but shall issue such license no later than~~
16 ~~the third full day following the date of the application)~~). A
17 marriage license issued pursuant to the provisions of this chapter
18 (~~(may not be used until three days after the date of application~~
19 ~~and)~~) shall become void if the marriage is not solemnized within
20 sixty days of the date of the issuance of the license, and the county
21 auditor shall notify the applicant in writing of this requirement at
22 the time of issuance of the license.

23 NEW SECTION. **Sec. 4.** A new section is added to chapter 26.04
24 RCW to read as follows:

25 Any fee charged by a county auditor for the solemnization of
26 marriage conducted in a county-owned facility shall be fixed by the
27 county legislative authority and shall be deposited into the county
28 general fund.

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