

By Senator Leek

7-00651A-25

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1                                   A bill to be entitled  
 2       An act relating to persons authorized to solemnize  
 3       matrimony; amending s. 741.07, F.S.; authorizing  
 4       members of the Legislature to solemnize the rights of  
 5       matrimonial contract; reenacting ss. 741.08 and  
 6       741.10, F.S., relating to marriage not being  
 7       solemnized without a license and proof of marriage  
 8       where no certificate is available, respectively, to  
 9       incorporate the amendment made to s. 741.07, F.S., in  
 10      references thereto; providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

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 14       Section 1. Subsection (1) of section 741.07, Florida  
 15 Statutes, is amended to read:

16       741.07 Persons authorized to solemnize matrimony.—

17       (1) All regularly ordained ministers of the gospel or  
 18 elders in communion with a some church, or other ordained  
 19 clergy; members of the Legislature; ~~and all~~ judicial officers,  
 20 including retired judicial officers; ; ~~;~~ clerks of the circuit  
 21 courts; ; ~~;~~ and notaries public of this state may solemnize the  
 22 rights of matrimonial contract, under the regulations prescribed  
 23 by law. ~~Nothing in~~ This section does not invalidate ~~shall make~~  
 24 ~~invalid~~ a marriage which was solemnized by any member of the  
 25 clergy, or as otherwise provided by law before ~~prior to~~ July 1,  
 26 1978.

27       Section 2. For the purpose of incorporating the amendment  
 28 made by this act to section 741.07, Florida Statutes, in a  
 29 reference thereto, section 741.08, Florida Statutes, is

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30 reenacted to read:

31       741.08 Marriage not to be solemnized without a license.—  
32 Before any of the persons named in s. 741.07 shall solemnize any  
33 marriage, he or she shall require of the parties a marriage  
34 license issued according to the requirements of s. 741.01, and  
35 within 10 days after solemnizing the marriage he or she shall  
36 make a certificate thereof on the license, and shall transmit  
37 the same to the office of the county court judge or clerk of the  
38 circuit court from which it issued.

39       Section 3. For the purpose of incorporating the amendment  
40 made by this act to section 741.07, Florida Statutes, in a  
41 reference thereto, section 741.10, Florida Statutes, is  
42 reenacted to read:

43       741.10 Proof of marriage where no certificate available.—  
44 When any marriage is or has been solemnized by any of the  
45 persons named in s. 741.07, and such person has not made a  
46 certificate thereof on the marriage license as required by s.  
47 741.08, or when the marriage license has been lost, or when by  
48 reason of death or other cause the proper certificate cannot be  
49 obtained, the marriage may be proved by affidavit before any  
50 officer authorized to administer oaths made by two competent  
51 witnesses who were present and saw the marriage ceremony  
52 performed, which affidavit may be filed and recorded in the  
53 office of the county court judge or clerk of the circuit court  
54 from which the marriage license issued, with the same force and  
55 effect as in cases in which the proper certificate has been  
56 made, returned and recorded.

57       Section 4. This act shall take effect July 1, 2025.