STATE OF NEW YORK

6330--A

2019-2020 Regular Sessions

IN SENATE

June 5, 2019

Introduced by Sen. KRUEGER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the domestic relations law, in relation to who may solemnize a marriage

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 3 of section 11 of the domestic relations law, as amended by chapter 633 of the laws of 2008, is amended to read as follows:

3. A judge of [~~the~~] **a** federal circuit court of appeals [~~for the second circuit~~], a judge of a federal district court [~~for the northern, southern, eastern or western district of New York~~], a judge of the United States court of international trade, a federal administrative law judge presiding in this state, a justice or judge of a court of the unified court system, a housing judge of the civil court of the city of New York, a retired justice or judge of the unified court system or a retired housing judge of the civil court of the city of New York certified pursuant to paragraph (k) of subdivision two of section two hundred twelve of the judiciary law, the clerk of the appellate division of the supreme court in each judicial department, a retired city clerk who served for more than ten years in such capacity in a city having a population of one million or more or a county clerk of a county wholly within cities having a population of one million or more; or,

§ 2. Subdivision 5 of section 11 of the domestic relations law, as amended by chapter 264 of the laws of 1996, is amended to read as follows:

5. Notwithstanding any other provision of this article, where either or both of the parties is under the age of eighteen years a marriage shall be solemnized only by those authorized in subdivision one of this

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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section or by (1) the mayor of a city or village, or county executive of a county, or by (2) a judge of [~~the~~] a federal circuit court of appeals [~~for the second circuit~~], a judge of a federal district court [~~for the northern, southern, eastern or western district of New York~~], a judge of the United States court of international trade, or a justice or a judge of a court of the unified court system, or by (3) a housing judge of the civil court of the city of New York, or by (4) a former mayor or the clerk of a city of the first class of over one million inhabitants or any of his or her deputies designated by him or her for such purposes as provided in section eleven-a of this chapter.

§ 3. Subdivision 6 of section 11 of the domestic relations law, as amended by chapter 450 of the laws of 2014, is amended to read as follows:

6. Notwithstanding any other provisions of this article to the contrary no marriage shall be solemnized by a public officer specified in this section, other than a judge of a federal circuit court of appeals, a judge of a federal district court [~~for the northern, southern, eastern or western district of New York~~], a judge of the United States court of international trade, a federal administrative law judge presiding in this state, a judge or justice of the unified court system of this state, a housing judge of the civil court of the city of New York, or a retired judge or justice of the unified court system or a retired housing judge of the civil court certified pursuant to paragraph (k) of subdivision two of section two hundred twelve of the judiciary law, nor by any of the persons specified in subdivision three-a of this section, outside the territorial jurisdiction in which he or she was elected, appointed or duly designated. Such a public officer, however, elected or appointed within the city of New York may solemnize a marriage anywhere within such city.

§ 4. This act shall take effect immediately.