

ASSEMBLY BILL NO. 254—ASSEMBLYMAN MANENDO (BY REQUEST)

FEBRUARY 28, 2001

Referred to Committee on Judiciary

SUMMARY—Makes various changes to provisions governing marriage. (BDR 11-95)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to marriage; authorizing a county clerk to designate a commercial wedding chapel as a branch office of the county clerk for purposes of issuing marriage licenses; authorizing a county clerk to issue a marriage license for the renewal of marriage vows; authorizing the collection of fees for those licenses; revising provisions governing the requirements for a person to obtain a certificate of permission to perform marriages; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 122 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2, 3 and 4 of this act.
3 **Sec. 2.** *As used in this chapter, unless the context otherwise*
4 *requires, “other person authorized to solemnize marriages” means a*
5 *person of any church, denomination or religious society who has been*
6 *authorized to solemnize marriages according to the usages of the church,*
7 *denomination or religious society, or any religious society not having*
8 *clergy but providing for solemnization of marriages in accordance with*
9 *the rules and customs of that society.*
10 **Sec. 3.** 1. *In any county, the county clerk, in his sole discretion,*
11 *may designate one or more commercial wedding chapels as a branch*
12 *office of the county clerk for the purpose of issuing a marriage license.*
13 2. *If the county clerk has designated a commercial wedding chapel*
14 *as a branch office, the county clerk may appoint a person who is certified*
15 *to perform marriages pursuant to the provisions of NRS 122.064 to*
16 *122.073, inclusive, as a deputy clerk to:*
17 (a) *Issue a marriage license in the manner set forth in NRS 122.040;*
18 *and*
19 (b) *Collect the fees for issuing a marriage license set forth in*
20 *NRS 122.060.*



3. The fees required pursuant to NRS 122.060 for issuing a marriage license which are collected pursuant to this section must be remitted to the county clerk in the manner established by regulation of the county clerk.

4. The county clerk may revoke the designation of a branch office and an appointment as a deputy clerk made pursuant to this section by providing notice in any form. Revocation is effective upon receipt.

5. The county clerk may prescribe regulations, which do not conflict with the provisions of this chapter, to carry out the provisions of this section.

Sec. 4. 1. If a person is no longer authorized to solemnize marriages by the church, denomination or religious society that authorized the person to solemnize marriage ceremonies pursuant to NRS 122.064, the church, denomination or religious society shall, within 5 days after the authorization is terminated, file an affidavit of revocation of authority to solemnize marriages with the county clerk of the county where the original affidavit of authority to solemnize marriages was filed.

2. The affidavit of revocation of authority to solemnize marriages must be in substantially the following form:

AFFIDAVIT OF REVOCATION OF AUTHORITY TO SOLEMNIZE MARRIAGES

State of Nevada..... }
 }ss.
County of }

The (name of organization) is organized and carries on its work in the State of Nevada. Its active meetings are located in (city, town or county). The organization hereby revokes the authority of (name of person) filed in (name of county) on the day of (month), (year) to solemnize marriages.

I am duly authorized by (name of organization) to complete and submit this affidavit.

.....
Signature of Official

.....
Name of Official
(type or print name)

.....
Title of Official

Signed and sworn to (or affirmed) before me this day of the month of of the year

.....
Notary Public for

..... County, Nevada.

My appointment expires:.....



1 **Sec. 5.** NRS 122.020 is hereby amended to read as follows:
2 122.020 1. ~~HA~~ *Except as otherwise provided in this section, a* male
3 and a female person, at least 18 years of age, not nearer of kin than second
4 cousins or cousins of the half blood, and not having a husband or wife
5 living, may be joined in marriage.
6 2. A person at least 16 years of age but less than 18 years of age may
7 marry only if he has the consent of:
8 (a) Either parent; or
9 (b) His legal guardian.
10 3. *A county clerk may:*
11 (a) *Issue a marriage license to a legally married couple who intend to*
12 *renew their vows of marriage; and*
13 (b) *Collect the fees required pursuant to NRS 122.060 for issuing a*
14 *marriage license from a legally married couple who intend to renew their*
15 *vows of marriage.*
16 4. *The provisions of this section do not prohibit the performance of a*
17 *marriage ceremony for a legally married couple who intend to renew*
18 *their vows of marriage.*
19 **Sec. 6.** NRS 122.030 is hereby amended to read as follows:
20 122.030 1. With respect to any marriage solemnized before January
21 1, 1971, the original certificate and records of marriage made by the judge,
22 justice or minister, as prescribed in this chapter, and the record thereof by
23 the recorder of the county, or a copy or abstract of the record certified by
24 the recorder, must be received in all courts and places as presumptive
25 evidence of the fact of the marriage.
26 2. With respect to any marriage solemnized on or after January 1,
27 1971, the original certificate and records of marriage made by the judge,
28 justice, minister, commissioner of civil marriages , ~~or~~
29 commissioner of civil marriages ~~HA~~ *or other person authorized to*
30 *solemnize marriages,* as prescribed in this chapter, and the record thereof
31 by the recorder of the county, or a copy or abstract of the record certified
32 by the recorder, must be received in all courts and places as presumptive
33 evidence of the fact of the marriage.
34 **Sec. 7.** NRS 122.040 is hereby amended to read as follows:
35 122.040 1. Before persons may be joined in marriage, a license must
36 be obtained for that purpose from the county clerk of any county in the
37 state. Except as otherwise provided in this subsection ~~HA~~ *and section 3 of*
38 *this act,* the license must be issued at the county seat of that county. The
39 board of county commissioners:
40 (a) In a county whose population is 400,000 or more may, at the request
41 of the county clerk, designate two branch offices of the county clerk at
42 which marriage licenses may be issued, if the designated branch offices are
43 located outside of the county seat.
44 (b) In a county whose population is less than 400,000 may, at the
45 request of the county clerk, designate one branch office of the county clerk
46 at which marriage licenses may be issued, if the designated branch office is
47 established in a county office building which is located outside of the
48 county seat.



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1 2. Before issuing a marriage license, the county clerk may require
2 evidence that the applicant for the license is of age. The county clerk shall
3 accept a statement under oath by the applicant and the applicant's parent, if
4 available, that the applicant is of age.

5 3. The county clerk issuing the license shall require the applicant to
6 answer under oath each of the questions contained in the form of license,
7 and, if the applicant cannot answer positively any questions with reference
8 to the other person named in the license, the clerk shall require both
9 persons named in the license to appear before him and to answer, under
10 oath, the questions contained in the form of license. The county clerk shall
11 require the applicant to include his social security number and the social
12 security number of the other person named in the license on the affidavit of
13 application for the marriage license. If either person does not have a social
14 security number, the person responding to the question must state that fact.
15 The county clerk shall not require any evidence to verify a social security
16 number. If any of the information required is unknown to the person
17 responding to the question, he must state that the answer is unknown.

18 4. If any of the persons intending to marry are under age and have not
19 been previously married, and if the authorization of a district court is not
20 required, the clerk shall issue the license if the consent of the parent or
21 guardian is:

22 (a) Personally given before the clerk;
23 (b) Certified under the hand of the parent or guardian, attested by two
24 witnesses, one of whom must appear before the clerk and make oath that he
25 saw the parent or guardian subscribe his name to the annexed certificate, or
26 heard him or her acknowledge it; or

27 (c) In writing, subscribed to and acknowledged before a person
28 authorized by law to administer oaths. A facsimile of the acknowledged
29 writing must be accepted if the original is not available.

30 5. If the authorization of a district court is required, the county clerk
31 shall issue the license if that authorization is given to him in writing.

32 6. All records pertaining to marriage licenses are public records and
33 open to inspection pursuant to the provisions of NRS 239.010.

34 7. A marriage license issued on or after July 1, 1987, expires 1 year
35 after its date of issuance.

36 **Sec. 8.** NRS 122.050 is hereby amended to read as follows:

37 122.050 The marriage license must be substantially in the following
38 form:

39
40 MARRIAGE LICENSE
41 (EXPIRES 1 YEAR AFTER ISSUANCE)

42
43 State of Nevada }
44 } ss.
45 County of..... }

46
47 These presents are to authorize any minister *or other person authorized*
48 *to solemnize marriages* who has obtained a certificate of permission, any
49 supreme court justice or district judge within this state, or justice of the



1 peace within a township wherein he is permitted to solemnize marriages or
2 if authorized pursuant to subsection 3 of NRS 122.080, or a municipal
3 judge if authorized pursuant to subsection 4 of NRS 122.080 or any
4 commissioner of civil marriages or his deputy within a commissioner
5 township wherein they are permitted to solemnize marriages, to join in
6 marriage of (City, town or location), State of State of birth
7 (If not in U.S.A., name of country); Date of birth Father's name
8 Father's state of birth (If not in U.S.A., name of country)
9 Mother's maiden name Mother's state of birth (If not in U.S.A., name
10 of country) Number of this marriage (1st, 2nd, etc.) Wife
11 deceased Divorced Annulled When Where
12 And of (City, town or location), State of State of birth (If
13 not in U.S.A., name of country); Date of birth Father's name
14 Father's state of birth (If not in U.S.A., name of country)
15 Mother's maiden name Mother's state of birth (If not in U.S.A., name
16 of country) Number of this marriage (1st, 2nd, etc.) Husband
17 deceased Divorced Annulled When Where;
18 and to certify the marriage according to law.

19 Witness my hand and the seal of the county, this day of the month of
20 of the year

21
22 (Seal) Clerk
23
24 Deputy clerk
25

26 **Sec. 9.** NRS 122.061 is hereby amended to read as follows:

27 122.061 1. In any county whose population is 100,000 or more, the
28 main office of the county clerk where marriage licenses may be issued
29 must be open to the public for the purpose of issuing such licenses from 8
30 a.m. to 12 p.m. every day including holidays, and may remain open at other
31 times. ~~The~~ *Except as otherwise provided in subsection 3, the* board of
32 county commissioners shall determine the hours during which a branch
33 office of the county clerk where marriage licenses may be issued must
34 remain open to the public.

35 2. In all other counties, the board of county commissioners shall
36 determine the hours during which the offices where marriage licenses may
37 be issued must remain open to the public.

38 *3. A county clerk who has designated a commercial wedding chapel*
39 *as a branch office of the county clerk for the purpose of issuing a*
40 *marriage license pursuant to section 3 of this act may determine the*
41 *hours during which a commercial wedding chapel designated as a*
42 *branch office may issue a marriage license.*

43 **Sec. 10.** NRS 122.062 is hereby amended to read as follows:

44 122.062 1. Any ~~licensed or ordained minister in good standing~~
45 ~~within his denomination, whose denomination, governing body and church,~~
46 ~~or any of them, are incorporated or organized or established in this state,~~
47 *minister or other person authorized to solemnize marriages,* may join
48 together as husband and wife persons who present a marriage license
49 obtained from any county clerk of the state, if the minister *or other person*



1 *authorized to solemnize marriages* first obtains a certificate of permission
2 to perform marriages as provided in this section and NRS 122.064 to
3 122.073, inclusive. The fact that a minister *or other person authorized to*
4 *solemnize marriages* is retired does not disqualify him from obtaining a
5 certificate of permission to perform marriages. ~~if, before his retirement,~~
6 ~~he had active charge of a congregation within this state for a period of at~~
7 ~~least 3 years.~~

8 2. A temporary replacement for a ~~licensed or ordained~~ minister *or*
9 *other person authorized to solemnize marriages* certified pursuant to this
10 section and NRS 122.064 to 122.073, inclusive, may solemnize marriages
11 pursuant to subsection 1 during such time as he may be authorized to do so
12 by the county clerk in the county in which he is a temporary replacement,
13 for a period not to exceed 90 days. The minister *or other person*
14 *authorized to solemnize marriages* whom he temporarily replaces shall
15 provide him with a written authorization which states the period during
16 which it is effective.

17 3. Any chaplain who is assigned to duty in this state by the Armed
18 Forces of the United States may solemnize marriages if he obtains a
19 certificate of permission to perform marriages from the county clerk of the
20 county in which his duty station is located. The county clerk shall issue
21 such a certificate to a chaplain upon proof by him of his military status as a
22 chaplain and of his assignment.

23 4. A county clerk may authorize a ~~licensed or ordained~~ minister *or*
24 *other person authorized to solemnize marriages* whose ~~congregation~~
25 *church, denomination or religious society* is located in another state to
26 perform marriages in the county if the ~~county clerk satisfies himself that~~
27 ~~the minister is in good standing with his denomination or church. The~~
28 ~~authorization must be in writing and~~ *minister or other person authorized*
29 *to solemnize marriages files an application and affidavit that satisfies the*
30 *requirements of NRS 122.064. The application and affidavit required*
31 *pursuant to NRS 122.064* need not be filed with any other public officer.
32 A separate authorization is required for each marriage performed. Such a
33 minister *or other person authorized to solemnize marriages* may perform
34 not more than five marriages in this state in any calendar year.

35 5. *A minister or other person authorized to solemnize marriages*
36 *pursuant to subsection 1 may solemnize a marriage in any county in this*
37 *state.*

38 **Sec. 11.** NRS 122.064 is hereby amended to read as follows:

39 122.064 1. A certificate of permission may be obtained only from the
40 county clerk of the county in which the minister *or other person*
41 *authorized to solemnize marriages* resides, after the filing of a proper
42 application. The initial application must:

43 (a) Be in writing and be verified by the applicant, ~~or~~ his superior ~~or~~
44 *or another person who is authorized by the church, denomination or*
45 *religious society of the applicant to verify the application.*

46 (b) Include the date of licensure or ordination ~~or both, of the~~
47 ~~minister,~~ *, if applicable,* and the name of the *church, denomination,*
48 ~~governing body and church, or any of them,~~ *or religious society* with
49 which he is affiliated.



- 1 (c) Include the social security number of the applicant.
2 (d) Be accompanied by two copies of the ~~denominational standing of~~
3 ~~the applicant;~~ *affidavit of authority to solemnize marriages*, one of which
4 the county clerk shall file with the secretary of state.
5 2. ~~[To determine the qualifications of any minister who has filed an~~
6 ~~application for a certificate, the county clerk with whom the application has~~
7 ~~been filed may require:~~
8 ~~— (a) The congregation of the minister to furnish any evidence which the~~
9 ~~county clerk considers necessary or helpful.~~
10 ~~— (b) The district attorney and the sheriff to conduct an investigation of~~
11 ~~the background and present activities of the minister.~~
12 ~~— 3. In addition to the requirement of good standing, the county clerk~~
13 ~~shall, before approving an initial application, satisfy himself that:~~
14 ~~— (a) The applicant's ministry is primarily one of service to his~~
15 ~~congregation or denomination, and that his performance of marriages will~~
16 ~~be incidental to that service, or, in the case of a retired minister, that his~~
17 ~~active ministry was of such a nature.~~
18 ~~— (b) No certificate previously issued to the applicant has been canceled~~
19 ~~for a knowing violation of the laws of this state or of the United States.~~
20 ~~— (c) The applicant has not been convicted of a felony, been released from~~
21 ~~confinement or completed his parole or probation, whichever occurs later,~~
22 ~~within 10 years before the date of the application.~~
23 ~~— 4. The county clerk may require any applicant to submit information in~~
24 ~~addition to the information required by this section.]~~ *The affidavit of*
25 *authority to solemnize marriages must be in substantially the following*
26 *form:*

27
28 *AFFIDAVIT OF AUTHORITY TO SOLEMNIZE MARRIAGES*

29
30 *State of Nevada* }
31 }ss.
32 *County of* }

33
34 *The (name of organization) is*
35 *organized and carries on its work in the State of Nevada. Its active*
36 *meetings are located in (city, town or county). The*
37 *organization hereby finds (name of person) is in*
38 *good standing and is authorized by the organization to solemnize*
39 *marriages.*

40 *I am duly authorized by (name of*
41 *organization) to complete and submit this affidavit.*

42
43
44 *Signature of Official*

45
46 *Name of Official*
47 *(type or print name)*

48
49 *Title of Official*



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1 *Signed and sworn to (or affirmed) before me this day of the month*
2 *of of the year*

3

4 *Notary Public for*

5 *..... County, Nevada.*

6 *My appointment expires:.....*

7

8 **Sec. 12.** NRS 122.066 is hereby amended to read as follows:

9 122.066 1. If the county clerk approves an application ~~+~~ *for a*
10 *certificate of permission to perform marriages*, he shall notify the
11 secretary of state of such approval within 10 days thereafter. After receipt
12 of such notification, the secretary of state shall immediately certify the
13 name of ~~{such}~~ *the minister or other person authorized to solemnize*
14 *marriages* to each county clerk and county recorder in the state.

15 2. A certificate of permission shall be valid until the county clerk has
16 received ~~+~~

17 ~~—(a) A written statement that the minister is no longer in good standing~~
18 ~~within his denomination, signed by a trustee, warden, responsible superior~~
19 ~~or other officer of such minister's congregation authorized to speak for it;~~
20 ~~or~~

21 ~~—(b) A written statement that the minister to whom a certificate of~~
22 ~~permission was granted is no longer a minister, signed by a trustee,~~
23 ~~warden, responsible superior or other officer of such former minister's~~
24 ~~congregation authorized to speak for it.~~

25 ~~—3. The written statements required to be sent by a trustee, warden,~~
26 ~~responsible supervisor or other officer of a congregation pursuant to~~
27 ~~subsection 2 shall be sent to the county clerk within 5 days following the~~
28 ~~time the minister ceased to be a member of the denomination in good~~
29 ~~standing or ceased to be a minister of the congregation.~~

30 ~~—4.+~~ *an affidavit of revocation of authority to solemnize marriages*
31 *pursuant to section 4 of this act.*

32 3. If the county clerk in the county where the certificate of permission
33 was issued has reason to believe that the minister ~~is no longer in good~~
34 ~~standing within his denomination, or that he is no longer a minister, or that~~
35 ~~such denomination no longer exists, such}~~ *or other person authorized to*
36 *solemnize marriages no longer meets the requirements of NRS 122.062,*
37 *the clerk may require satisfactory proof of {such minister's denominational*
38 *standing.} the person's authorization by requesting a new affidavit of*
39 *authority to solemnize marriages from the church, denomination or*
40 *religious society of the minister or other person authorized to solemnize*
41 *marriages.* If such proof is not presented within 15 days, the county clerk
42 shall revoke the certificate of permission and shall so notify the secretary
43 of state.

44 ~~{5. If any minister to whom a certificate of permission has been issued~~
45 ~~severs ties with his congregation or moves from the county in which his~~
46 ~~certificate was issued, the certificate shall expire immediately upon such~~
47 ~~severance or move, and the trustee, warden, responsible superior or other~~
48 ~~officer of the congregation authorized to speak for it shall, within 5 days~~



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1 ~~following the severance or move, give written notice of the fact of such~~
2 ~~severance or move to the county clerk who issued the certificate.]~~
3 **Sec. 13.** NRS 122.068 is hereby amended to read as follows:
4 122.068 1. Any county clerk who has issued a certificate of
5 permission to *perform marriages* to a minister *or other person authorized*
6 *to solemnize marriages pursuant to NRS 122.064 to 122.073, inclusive,*
7 may revoke ~~such~~ the certificate for good cause shown after hearing.
8 2. If the certificate of *permission to perform marriages* of any
9 minister *or other person authorized to solemnize marriages* is revoked,
10 the county clerk shall inform the secretary of state of ~~such~~ that fact, and
11 the secretary of state shall immediately remove the name of ~~such~~ the
12 minister *or other person authorized to solemnize marriages* from the list
13 and shall notify each county clerk and county recorder in the state of ~~such~~
14 ~~fact.] the revocation.~~
15 **Sec. 14.** NRS 122.071 is hereby amended to read as follows:
16 122.071 Any minister *or other person authorized to solemnize*
17 *marriages* whose application for a certificate of permission *to perform*
18 *marriages* or renewal *of such a certificate* is denied, or whose certificate
19 of permission *to perform marriages* is revoked, is entitled to judicial
20 review of such action in the district court of the county in which such
21 action was taken.
22 **Sec. 15.** NRS 122.073 is hereby amended to read as follows:
23 122.073 ~~Each~~
24 1. *Except as otherwise provided in subsection 2, each* county clerk
25 may prescribe additional regulations, which ~~shall~~ do not conflict with the
26 provisions of this chapter, relating to the issuance and revocation of
27 certificates of permission *to perform marriages.*
28 2. *A county clerk shall not prescribe additional regulations which*
29 *affect the eligibility of a person to obtain a certificate of permission to*
30 *perform marriages.*
31 **Sec. 16.** NRS 122.090 is hereby amended to read as follows:
32 122.090 No marriage solemnized before any person professing to be a
33 judge, justice, minister, commissioner of civil marriages, ~~for~~ deputy
34 commissioner of civil marriages *or other person professing to be*
35 *authorized to solemnize marriages* shall be deemed or adjudged to be
36 void, nor shall the validity thereof be in any way affected on account of
37 any want of jurisdiction or authority, provided it be consummated with a
38 full belief on the part of the persons so married, or either of them, that they
39 have been lawfully joined in marriage.
40 **Sec. 17.** NRS 122.110 is hereby amended to read as follows:
41 122.110 1. In the solemnization of marriage, no particular form is
42 required except that the parties shall declare, in the presence of the justice,
43 judge, minister, justice of the peace, commissioner of civil marriages, ~~for~~
44 deputy commissioner of civil marriages *or other person authorized to*
45 *solemnize marriages*, and the attending witness, that they take each other
46 as husband and wife.
47 2. In every case there shall be at least one witness present besides the
48 person performing the ceremony.



1 **Sec. 18.** NRS 122.120 is hereby amended to read as follows:
2 122.120 1. After a marriage is solemnized, the person solemnizing
3 the marriage shall give to each couple being married a certificate of
4 marriage.

5 2. The certificate of marriage must be in substantially the following
6 form:

7
8 STATE OF NEVADA
9 MARRIAGE CERTIFICATE

10
11 State of Nevada }
12 } ss.
13 County of..... }

14
15 This is to certify that the undersigned, (a minister ,
16 ~~of the gospel,~~ judge, justice of the peace of County,
17 commissioner of civil marriages , ~~or~~ deputy commissioner of civil
18 marriages ~~or~~ *or other person authorized to solemnize marriages*, as the
19 case may be), did on the day of the month of of the year
20 at (address or church), (city), Nevada, join
21 in lawful wedlock (name), of (city), State of
22 and (name), of(city), State of
23 with their mutual consent, in the presence of and
24 (witnesses).

25
26
27 (Seal of County Clerk) Signature of person performing
28 the marriage
29
30 Name under signature typewritten
31 or printed in black ink

32
33 County Clerk

34
35
36 Official title of person performing
37 the marriage

38
39 Couple's mailing address

40
41 3. All information contained in the certificate of marriage must be
42 typewritten or legibly printed in black ink, except the signatures. The
43 signature of the person performing the marriage must be an original
44 signature.

45 **Sec. 19.** NRS 122.177 is hereby amended to read as follows:

46 122.177 1. The county shall provide a suitable area separate from the
47 marriage license bureau or other place where marriage licenses are issued
48 for the solemnizing of marriages.

49 2. The area shall be:



1 (a) Appropriately furnished by the county to provide a tranquil
2 atmosphere and the solemnizing ceremony shall be privately conducted in
3 a dignified manner without haste; and

4 (b) Situated in a building entirely separate from and unconnected with
5 any building in which marriage licenses are issued.

6 *3. The provisions of this section do not prohibit a commercial*
7 *wedding chapel that is designated as a branch office of the county clerk*
8 *for the purpose of issuing a marriage license pursuant to section 3 of this*
9 *act from issuing a marriage license in a building where a marriage is*
10 *solemnized.*

11 **Sec. 20.** NRS 122.189 is hereby amended to read as follows:

12 122.189 *1.* It is unlawful for the commissioner of civil marriages,
13 any deputy commissioner, or any employee in the office of the
14 commissioner or in the office of the county clerk to:

15 ~~11-1~~ (a) Solicit, accept or receive any gratuity, remuneration or fee
16 whatsoever for the solemnizing of marriages;

17 ~~12-1~~ (b) Participate in or receive the benefits of any fees solicited or
18 received by any other person; or

19 ~~13-1~~ (c) Influence or attempt to influence any person to have a marriage
20 solemnized in the office of the commissioner of civil marriages.

21 *2. The provisions of this section apply to a commercial wedding*
22 *chapel that is designated as a branch office of the county clerk and a*
23 *person who is designated as a deputy clerk for the purpose of issuing a*
24 *marriage license pursuant to section 3 of this act only while acting in the*
25 *capacity of a branch office or deputy clerk.*

26 **Sec. 21.** NRS 122.220 is hereby amended to read as follows:

27 122.220 1. It is unlawful for any supreme court justice, judge of a
28 district court, justice of the peace, municipal judge, minister, ~~for any~~
29 ~~religious society or congregation,~~ commissioner of civil marriages, ~~for~~
30 deputy commissioner of civil marriages *or other person authorized to*
31 *solemnize marriages* to join together as husband and wife persons allowed
32 by law to be joined in marriage, until the persons proposing such marriage
33 exhibit to him a license from the county clerk as provided by law.

34 2. Any supreme court justice, judge of a district court, justice of the
35 peace, municipal judge, minister, commissioner of civil marriages, ~~for~~
36 deputy commissioner of civil marriages *or other person authorized to*
37 *solemnize marriages* who violates the provisions of subsection 1 is guilty
38 of a misdemeanor.

