

HOUSE BILL 13

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Joseph M Thompson

AN ACT

RELATING TO MARRIAGE; ALLOWING FEDERAL JUDGES TO SOLEMNIZE
MARRIAGES IN NEW MEXICO.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 40-1-2 NMSA 1978 (being Laws 1859-
1860, p. 120, as amended) is amended to read:

"40-1-2. CLERGYMEN OR CIVIL MAGISTRATES MAY SOLEMNIZE--
FEES. --

A. ~~[It is lawful, valid and binding to all intents
and purposes for those who may so desire to]~~ A person may
solemnize the contract of matrimony by means of ~~[any]~~ an
ordained clergyman or authorized representative of a federally
recognized Indian tribe, without regard to the sect to which
he may belong or the rites and customs he may practice.

B. Judges, justices and magistrates of any of the

underscored material = new
[bracketed material] = delete

1 courts established by the constitution of New Mexico [~~and~~],
2 United States constitution, laws of the state or laws of the
3 United States are civil magistrates having authority to
4 solemnize contracts of matrimony.

5 C. Civil magistrates solemnizing contracts of
6 matrimony shall charge no fee therefor. "

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