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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1805

04/25/2013 Authored by Kelly, Norton, Kieffer and Garofalo
The bill was read for the first time and referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to civil law; providing for civil union relationships; substituting
1.3 civil union contracts for marriage for purposes of Minnesota law; amending
1.4 Minnesota Statutes 2012, sections 363A.27; 517.01; 517.02; 517.03; 517.07;
1.5 517.08; 517.10; 517.101; 517.20; proposing coding for new law in Minnesota
1.6 Statutes, chapter 517; repealing Minnesota Statutes 2012, sections 517.04;
1.7 517.041; 517.05; 517.06; 517.09; 517.13; 517.14; 517.15; 517.16; 517.18.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2012, section 363A.27, is amended to read:

1.10 **363A.27 CONSTRUCTION OF LAW.**

1.11 Nothing in this chapter shall be construed to:

1.12 (1) mean the state of Minnesota condones homosexuality or bisexuality or any
1.13 equivalent lifestyle;

1.14 (2) authorize or permit the promotion of homosexuality or bisexuality in education
1.15 institutions or require the teaching in education institutions of homosexuality or
1.16 bisexuality as an acceptable lifestyle; or

1.17 (3) authorize or permit the use of numerical goals or quotas, or other types
1.18 of affirmative action programs, with respect to homosexuality or bisexuality in the
1.19 administration or enforcement of the provisions of this chapter; ~~or.~~

1.20 ~~(4) authorize the recognition of or the right of marriage between persons of the~~
1.21 ~~same sex.~~

1.22 Sec. 2. Minnesota Statutes 2012, section 517.01, is amended to read:

1.23 **517.01 MARRIAGE A CIVIL UNION CONTRACT.**

2.1 ~~Marriage~~ A civil union, so far as its validity in law is concerned, is a civil contract
 2.2 ~~between a man and a woman~~ two individuals, recognized by the state of Minnesota, to
 2.3 which the consent of the ~~parties~~ individuals, capable in law of contracting, is essential.
 2.4 ~~Lawful marriage may be contracted only between persons of the opposite sex and only~~ A
 2.5 civil union contract is only valid when a license has been obtained as provided by law and
 2.6 when the ~~marriage~~ civil union is contracted in the presence of two witnesses ~~and solemnized~~
 2.7 ~~by one authorized, or whom one or both of the parties in good faith believe to be authorized,~~
 2.8 ~~so to do. Marriages subsequent to April 26, 1941, not so contracted shall be null and void.~~

2.9 Sec. 3. Minnesota Statutes 2012, section 517.02, is amended to read:

2.10 **517.02 PERSONS CAPABLE OF CONTRACTING.**

2.11 Every person who has attained the full age of 18 years is capable in law of contracting
 2.12 ~~marriage~~ a civil union, if otherwise competent. A person of the full age of 16 years may,
 2.13 with the consent of the person's legal custodial parents, guardian, or the court, as provided
 2.14 in section 517.08, receive a civil union license ~~to marry~~, when, after a careful inquiry into
 2.15 the facts and the surrounding circumstances, the person's application for a license and
 2.16 consent for ~~marriage~~ a civil union of a minor form is approved by the judge of the district
 2.17 court of the county in which the person resides. If the judge of the district court of the
 2.18 county in which the person resides is absent from the county and has not by order assigned
 2.19 another judge or a retired judge to act in the judge's stead, then the court commissioner or
 2.20 any judge of district court of the county may approve the application for a license.

2.21 The consent for ~~marriage~~ civil union license of a minor must be in the following form:

2.22 STATE OF MINNESOTA, COUNTY OF (insert county name)

2.23 I/We (insert legal custodial parent or guardian names) under oath
 2.24 or affirmation say:

2.25 That I/we are the legal custodial parent(s) or guardian of
 2.26 (insert name of minor), who was born at (insert place of birth) on
 2.27 (insert date of birth) who is presently the age of (insert age).

2.28 That the minor has not ~~been previously married~~ entered a civil union.

2.29 That I/we consent to the ~~marriage~~ civil union of this minor to
 2.30 (insert name of the person minor intends to ~~marry~~ join in civil union) who is of the age
 2.31 of (insert age).

2.32 That affidavit is being made for the purpose of requesting the judge's consent to
 2.33 allow this minor to ~~marry~~ enter a civil union and make this ~~marriage~~ civil union legal.

2.34 Date:

2.35

3.1
 3.2 (Signature of legal custodial parents or guardian)
 3.3 Sworn to or affirmed and acknowledged before me on this day of
 3.4

3.5 NOTARY PUBLIC
 3.6 STATE OF MINNESOTA, COUNTY OF (insert county name).

3.7 The undersigned is the judge of the district court where the minor resides and grants
 3.8 the request for the minor to ~~marry~~ enter into a civil union contract.

3.9 (judge of district court)

3.10 (date).

3.11 Sec. 4. Minnesota Statutes 2012, section 517.03, is amended to read:

3.12 **517.03 PROHIBITED MARRIAGES AND CIVIL UNION CONTRACTS.**

3.13 Subdivision 1. **General.** ~~(a)~~ The following marriages and civil union contracts
 3.14 are prohibited:

3.15 (1) a marriage or civil union entered into before the dissolution of an earlier marriage
 3.16 or civil union contract of one of the ~~parties~~ individuals becomes final, as provided in
 3.17 section 518.145 or by the law of the jurisdiction where the dissolution was granted;

3.18 (2) a marriage or civil union between an ancestor and a descendant, or between
 3.19 a brother and a sister, whether the relationship is by the half or the whole blood or by
 3.20 adoption; and

3.21 (3) a marriage or civil union between an uncle and a niece, between an aunt and a
 3.22 nephew, or between first cousins, whether the relationship is by the half or the whole blood,
 3.23 except as to marriages permitted by the established customs of aboriginal cultures; and

3.24 ~~(4) a marriage between persons of the same sex.~~

3.25 ~~(b) A marriage entered into by persons of the same sex, either under common law or~~
 3.26 ~~statute, that is recognized by another state or foreign jurisdiction is void in this state and~~
 3.27 ~~contractual rights granted by virtue of the marriage or its termination are unenforceable in~~
 3.28 ~~this state.~~

3.29 Subd. 2. **Developmentally disabled persons; consent by commissioner of**
 3.30 **human services.** Developmentally disabled persons committed to the guardianship of
 3.31 the commissioner of human services and developmentally disabled persons committed
 3.32 to the conservatorship of the commissioner of human services in which the terms of the
 3.33 conservatorship limit the right to ~~marry~~ enter a civil union, may ~~marry~~ enter a civil union
 3.34 on receipt of written consent of the commissioner. The commissioner shall grant consent
 3.35 unless it appears from the commissioner's investigation that the ~~marriage~~ civil union is

4.1 not in the best interest of the ward or conservatee and the public. The local registrar in
 4.2 the county where the application for a license is made by the ward or conservatee shall
 4.3 not issue the license unless the local registrar has received a signed copy of the consent
 4.4 of the commissioner of human services.

4.5 Sec. 5. Minnesota Statutes 2012, section 517.07, is amended to read:

4.6 **517.07 LICENSE.**

4.7 Before any persons are joined in ~~marriage~~ a civil union in Minnesota, a license shall
 4.8 be obtained from the local registrar of any county within Minnesota. The ~~marriage civil~~
 4.9 union need not ~~take place~~ be formally entered in the county where the license is obtained
 4.10 but must take place within the geographical borders of Minnesota.

4.11 Sec. 6. Minnesota Statutes 2012, section 517.08, is amended to read:

4.12 **517.08 APPLICATION FOR LICENSE.**

4.13 Subd. 1a. **Form.** Application for a ~~marriage civil union~~ license shall be made by
 4.14 both of the ~~parties~~ individuals upon a form provided for the purpose and shall contain
 4.15 the following information:

4.16 (1) the full ~~names~~ name of the ~~parties~~ and the sex of each party each individual;

4.17 (2) their post office addresses and county and state of residence;

4.18 (3) their full ages;

4.19 (4) if either ~~party~~ individual has previously been married, the ~~party's~~ individual's
 4.20 married name, and the date, place and court in which the marriage was dissolved or
 4.21 annulled or the date and place of death of the former spouse;

4.22 (5) if either individual has previously been a party to a civil union, the date of the
 4.23 civil union, and the place and court in which the civil union was dissolved;

4.24 (6) if either party individual is a minor, the name and address of the minor's parents
 4.25 or guardian;

4.26 (6) (7) whether the ~~parties~~ individuals are related to each other, and, if so, their
 4.27 relationship;

4.28 (7) (8) the address of the bride and groom individuals after the marriage civil
 4.29 union is entered to which the local registrar shall send a certified copy of the ~~marriage~~
 4.30 ~~certificate~~ civil union contract;

4.31 (8) (9) the full ~~names~~ the parties name each individual will have after ~~marriage~~ the
 4.32 civil union contract is entered and the ~~parties'~~ each individual's Social Security ~~numbers~~
 4.33 number. The Social Security numbers must be collected for the application but must not
 4.34 appear on the ~~marriage~~ license. If a ~~party~~ an individual listed on a ~~marriage~~ application

5.1 civil union application does not have a Social Security number, the party individual must
5.2 certify on the application, or a supplement to the application, that the party individual
5.3 does not have a Social Security number;

5.4 ~~(9)~~ (10) if one or both of the parties to the marriage license individuals has a felony
5.5 conviction under Minnesota law or the law of another state or federal jurisdiction, the
5.6 parties individuals shall provide to the county proof of service upon the prosecuting
5.7 authority and, if applicable, the attorney general, as required by section 259.13; and

5.8 ~~(10)~~ (11) notice that a party an individual who has a felony conviction under
5.9 Minnesota law or the law of another state or federal jurisdiction may not use a different
5.10 name after marriage the civil union is entered except as authorized by section 259.13,
5.11 and that doing so is a gross misdemeanor.

5.12 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar
5.13 shall examine upon oath the parties individuals applying for a license relative to the
5.14 legality of the contemplated marriage civil union. If one party individual is unable to
5.15 appear in person, the party individual appearing may complete the absent applicant's
5.16 information. The local registrar shall provide a copy of the marriage application to the
5.17 party individual who is unable to appear, who must verify the accuracy of the appearing
5.18 party's individual's information in a notarized statement. The marriage license must not
5.19 be released until the verification statement has been received by the local registrar. If at
5.20 the expiration of a five-day period, on being satisfied that there is no legal impediment to
5.21 it, including the restriction contained in section 259.13, the local registrar shall issue the
5.22 license, containing the full names of the parties individuals before and after marriage the
5.23 civil union is entered, and county and state of residence, with the county seal attached,
5.24 and make a record of the date of issuance. The license shall be valid for a period of six
5.25 months. Except as provided in paragraph (c), the local registrar shall collect from the
5.26 applicant a fee of \$115 for administering the oath, issuing, recording, and filing all papers
5.27 required, and preparing and transmitting to the state registrar of vital statistics the reports
5.28 of marriage a civil union required by this section. If the license should not be used within
5.29 the period of six months due to illness or other extenuating circumstances, it may be
5.30 surrendered to the local registrar for cancellation, and in that case a new license shall issue
5.31 upon request of the parties individuals of the original license without fee. A local registrar
5.32 who knowingly issues or signs a marriage license in any manner other than as provided in
5.33 this section shall pay to the parties individuals aggrieved an amount not to exceed \$1,000.

5.34 (b) In case of emergency or extraordinary circumstances, a judge of the district court
5.35 of the county in which the application is made may authorize the license to be issued at

6.1 any time before expiration of the five-day period required under paragraph (a). A waiver
6.2 of the five-day waiting period must be in the following form:

6.3 STATE OF MINNESOTA, COUNTY OF (insert county name)

6.4 APPLICATION FOR WAIVER OF ~~MARRIAGE~~ CIVIL UNION LICENSE

6.5 WAITING PERIOD:

6.6 (legal names of the applicants)

6.7 Represent and state as follows:

6.8 That on (date of application) the applicants applied to the local
6.9 registrar of the above-named county for a license ~~to marry~~ for a civil union.

6.10 That it is necessary that the license be issued before the expiration of five days
6.11 from the date of the application by reason of the following: (insert reason for requesting
6.12 waiver of waiting period)

6.13

6.14

6.15

6.16 WHEREAS, the applicants request that the judge waive the required five-day
6.17 waiting period and the local registrar be authorized and directed to ~~issue the marriage~~
6.18 grant the civil union license immediately.

6.19 Date:

6.20

6.21

6.22 (Signatures of applicants)

6.23 Acknowledged before me on this day of

6.24

6.25 NOTARY PUBLIC

6.26 COURT ORDER AND AUTHORIZATION:

6.27 STATE OF MINNESOTA, COUNTY OF (insert county name)

6.28 After reviewing the above application, I am satisfied that an emergency or
6.29 extraordinary circumstance exists that justifies the issuance of the ~~marriage~~ civil union
6.30 license before the expiration of five days from the date of the application. IT IS HEREBY
6.31 ORDERED that the local registrar is authorized and directed to issue the license forthwith.

6.32

6.33 (judge of district court)

6.34 (date).

6.35 (c) ~~The marriage license fee for parties who have completed at least 12 hours of~~
6.36 ~~premarital education is \$40. In order to qualify for the reduced license fee, the parties must~~

7.1 ~~submit at the time of applying for the marriage license a statement that is signed, dated,~~
 7.2 ~~and notarized or marked with a church seal from the person who provided the premarital~~
 7.3 ~~education on their letterhead confirming that it was received. The premarital education~~
 7.4 ~~must be provided by a licensed or ordained minister or the minister's designee, a person~~
 7.5 ~~authorized to solemnize marriages under section 517.18, or a person authorized to practice~~
 7.6 ~~marriage and family therapy under section 148B.33. The education must include the use of~~
 7.7 ~~a premarital inventory and the teaching of communication and conflict management skills.~~

7.8 (d) ~~The statement from the person who provided the premarital education under~~
 7.9 ~~paragraph (c) must be in the following form:~~

7.10 "I, (name of educator), confirm that (names of
 7.11 both parties) received at least 12 hours of premarital education that included the use of a
 7.12 premarital inventory and the teaching of communication and conflict management skills.
 7.13 I am a licensed or ordained minister, a person authorized to solemnize marriages under
 7.14 Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family
 7.15 therapy under Minnesota Statutes, section 148B.33."

7.16 The names of the parties in the educator's statement must be identical to the legal
 7.17 names of the parties as they appear in the marriage license application. Notwithstanding
 7.18 section 138.17, the educator's statement must be retained for seven years, after which
 7.19 time it may be destroyed.

7.20 (e) (c) If section 259.13 applies to the request for a marriage civil union license, the
 7.21 local registrar shall grant the marriage civil union license without the requested name
 7.22 change. Alternatively, the local registrar may delay the granting of the marriage civil
 7.23 union license until the party individual with the conviction:

7.24 (1) certifies under oath that 30 days have passed since service of the notice for a
 7.25 name change upon the prosecuting authority and, if applicable, the attorney general and no
 7.26 objection has been filed under section 259.13; or

7.27 (2) provides a certified copy of the court order granting it. The parties individuals
 7.28 seeking the marriage license shall have the right to choose to have the license granted
 7.29 without the name change or to delay its granting pending further action on the name
 7.30 change request.

7.31 Subd. 1c. **Disposition of license fee.** (a) Of the marriage civil union contract
 7.32 license fee collected pursuant to subdivision 1b, paragraph (a), \$25 must be retained by
 7.33 the county. The local registrar must pay \$90 to the commissioner of management and
 7.34 budget to be deposited as follows:

7.35 (1) \$55 in the general fund;

8.1 (2) \$3 in the state government special revenue fund to be appropriated to the
8.2 commissioner of public safety for parenting time centers under section 119A.37;

8.3 (3) \$2 in the special revenue fund to be appropriated to the commissioner of health
8.4 for developing and implementing the MN ENABL program under section 145.9255;

8.5 (4) \$25 in the special revenue fund is appropriated to the commissioner of
8.6 employment and economic development for the displaced homemaker program under
8.7 section 116L.96; and

8.8 (5) \$5 in the special revenue fund, which is appropriated to the Board of Regents
8.9 of the University of Minnesota for the Minnesota couples on the brink project under
8.10 section 137.32.

8.11 (b) Of the \$40 fee under subdivision 1b, paragraph (b), \$25 must be retained by the
8.12 county. The local registrar must pay \$15 to the commissioner of management and budget
8.13 to be deposited as follows:

8.14 (1) \$5 as provided in paragraph (a), clauses (2) and (3); and

8.15 (2) \$10 in the special revenue fund is appropriated to the commissioner of
8.16 employment and economic development for the displaced homemaker program under
8.17 section 116L.96.

8.18 Subd. 4. **Report.** The local registrar of each county shall annually report to the
8.19 Department of Health the number of ~~marriage~~ licenses issued in the county for which
8.20 the fee in subdivision 1b, paragraph (a), was paid and the number for which the fee in
8.21 subdivision 1b, paragraph (b), was paid.

8.22 Sec. 7. Minnesota Statutes 2012, section 517.10, is amended to read:

8.23 **517.10 CERTIFICATE; WITNESSES.**

8.24 The ~~person solemnizing a marriage~~ local registrar of each county shall prepare and
8.25 sign a certificate. The certificate shall contain the full names of the ~~parties~~ individuals
8.26 before and after ~~marriage~~ the civil union contract, the birth dates of the ~~parties~~ individuals,
8.27 and county and state of residences of the ~~parties~~ individuals and the date and place of the
8.28 ~~marriage~~ civil union. The certificate shall also contain the signatures of at least two of the
8.29 witnesses present at the ~~marriage~~ time the civil union contract was signed, who shall be at
8.30 least 16 years of age. The ~~person solemnizing the marriage~~ registrar shall immediately
8.31 make a record of such ~~marriage~~ civil union contract, and file such certificate ~~with the~~
8.32 ~~local registrar of the county in which the license was issued~~ within five days after the
8.33 ~~ceremony~~ civil union contract was signed. The local registrar shall record such certificate
8.34 in the county ~~marriage~~ civil union records.

9.1 Sec. 8. Minnesota Statutes 2012, section 517.101, is amended to read:

9.2 **517.101 CERTIFIED COPIES OF MARRIAGE CERTIFICATE.**

9.3 Within ten days of receipt of the certificate and after recording the certificate the
9.4 local registrar shall prepare a certified copy of the certificate to be mailed to the ~~married~~
9.5 parties individuals subject to the civil union contract.

9.6 Sec. 9. Minnesota Statutes 2012, section 517.20, is amended to read:

9.7 **517.20 APPLICATION.**

9.8 ~~Except as provided in section 517.03, subdivision 1, paragraph (b),~~ (a) All marriages
9.9 and civil unions contracted within this state ~~prior to March 1, 1979~~ or outside this state
9.10 that were valid at the time of the contract or subsequently validated by the laws of the
9.11 place in which they were contracted or by the domicile of the ~~parties individuals~~ are
9.12 valid in this state.

9.13 (b) Marriages that are valid under paragraph (a) are treated as civil union contracts
9.14 under this chapter and the laws of the state of Minnesota.

9.15 Sec. 10. **[517.22] MARRIAGE BY RELIGIOUS INSTITUTION NOT**
9.16 **PROHIBITED.**

9.17 (a) Nothing in this chapter prohibits a religious institution or cultural group from
9.18 performing a ceremony of marriage according to any applicable rules or customs of the
9.19 institution or group. A licensed or ordained minister may be a witness to the signing of a
9.20 civil union contract as required by section 517.10.

9.21 (b) Notwithstanding a marriage ceremony performed by a religious institution or
9.22 cultural group, the individuals participating in that ceremony are not entitled to the rights,
9.23 benefits, or privileges of Minnesota law resulting from a civil union contract until such
9.24 civil union contract is lawfully signed and entered as provided in this chapter.

9.25 (c) This chapter does not alter or affect the protections or exemptions provided in
9.26 chapter 363A for a religious association, educational institution, business, labor union,
9.27 place of public accommodation, employer, or other person. This chapter does not affect
9.28 the exemptions provided in section 363A.26.

9.29 Sec. 11. **[517.23] MEANING OF CIVIL UNION CONTRACT.**

9.30 Wherever the term "marriage," "marital," "marry," or "married" is used in Minnesota
9.31 statute in reference to the rights, obligations, or privileges of a couple under law, the term
9.32 shall include a civil union contract, or individuals subject to a civil union contract, as
9.33 established by this chapter. A term subject to this definition must also be interpreted in

10.1 reference to the context in which it appears, but may not be interpreted to limit or exclude
10.2 any individual who has entered a valid civil union contract under this chapter.

10.3 Sec. 12. **[517.24] EFFECT ON FEDERAL LAW AND IN OTHER**
10.4 **JURISDICTIONS.**

10.5 To the extent that the term "marriage" is given legal effect in federal law or the
10.6 law of another jurisdiction, a Minnesota civil union is the equivalent of a marriage and
10.7 individuals who have entered into a civil union contract shall be treated as "spouses" or
10.8 shall be treated as "husband" and "wife" for purposes of application to those laws.

10.9 Sec. 13. **REPEALER.**

10.10 Minnesota Statutes 2012, sections 517.04; 517.041; 517.05; 517.06; 517.09; 517.13;
10.11 517.14; 517.15; 517.16; and 517.18, are repealed.

10.12 Sec. 14. **EFFECTIVE DATE.**

10.13 Sections 1 to 13 are effective August 1, 2013, and apply to civil union contracts
10.14 applied for on or after that date. After August 1, 2013, the local registrar of each county
10.15 is prohibited from accepting or processing an application for a marriage license that is
10.16 inconsistent with the requirements of this act.

517.04 PERSONS AUTHORIZED TO PERFORM MARRIAGES.

Marriages may be solemnized throughout the state by an individual who has attained the age of 21 years and is a judge of a court of record, a retired judge of a court of record, a court administrator, a retired court administrator with the approval of the chief judge of the judicial district, a former court commissioner who is employed by the court system or is acting pursuant to an order of the chief judge of the commissioner's judicial district, the residential school administrators of the Minnesota State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or ordained minister of any religious denomination, or by any mode recognized in section 517.18. For purposes of this section, a court of record includes the Office of Administrative Hearings under section 14.48.

517.041 POWER TO APPOINT COURT COMMISSIONER; DUTY.

The Third Judicial District may appoint as court commissioner for Fillmore and Olmsted Counties respectively a person who was formerly employed by those counties as a court commissioner.

The sole duty of an appointed court commissioner is to solemnize marriages.

517.05 CREDENTIALS OF MINISTER.

Ministers of any religious denomination, before they are authorized to solemnize a marriage, shall file a copy of their credentials of license or ordination or, if their religious denomination does not issue credentials, authority from the minister's spiritual assembly, with the local registrar of a county in this state, who shall record the same and give a certificate of filing thereof. The place where the credentials are recorded shall be endorsed upon and recorded with each certificate of marriage granted by a minister.

517.06 PARTIES EXAMINED.

Every person authorized by law to perform the marriage ceremony, before solemnizing a marriage, may examine the parties on oath, which oath the person is authorized to administer, as to the legality of the intended marriage. No person shall solemnize a marriage unless satisfied that there is no legal impediment to it, that a marriage license has been obtained, and that the individuals present are the persons named in the license.

517.09 SOLEMNIZATION.

No particular form is required to solemnize a marriage, except: the parties shall declare in the presence of a person authorized to solemnize marriages and two attending witnesses that they take each other as husband and wife; or the marriage shall be solemnized in a manner provided by section 517.18.

517.13 PENALTY FOR FAILURE TO FILE CERTIFICATE.

Every person solemnizing a marriage who neglects to file a certificate with the local registrar within the time set forth in section 517.10 shall forfeit a sum not exceeding \$100, and every local registrar who neglects to record a certificate shall forfeit a like sum.

517.14 ILLEGAL MARRIAGE; FALSE CERTIFICATE; PENALTY.

A person authorized by law to solemnize marriages who knowingly solemnizes a marriage contrary to the provisions of this chapter, or knowing of any legal impediment to the proposed marriage, or who willfully makes a false certificate of any marriage or pretended marriage is guilty of a misdemeanor.

517.15 UNAUTHORIZED PERSON PERFORMING CEREMONY.

APPENDIX

Repealed Minnesota Statutes: 13-3054

A person who knowingly undertakes to solemnize a marriage, without lawful authority to do so, is guilty of a misdemeanor.

517.16 IMMATERIAL IRREGULARITY OF OFFICIATING PERSON DOES NOT VOID.

A marriage solemnized before a person professing to be lawfully authorized to do so shall not be adjudged to be void, nor shall its validity be in any way affected, on account of a want of jurisdiction or authority in the supposed officer or person, if the marriage is consummated with the full belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

517.18 MARRIAGE SOLEMNIZATION.

Subdivision 1. **Friends or Quakers.** All marriages solemnized among the people called Friends or Quakers, in the form heretofore practiced and in use in their meetings, shall be valid and not affected by any of the foregoing provisions. The clerk of the meeting in which such marriage is solemnized, within one month after any such marriage, shall deliver a certificate of the same to the local registrar of the county where the marriage took place, under penalty of not more than \$100. Such certificate shall be filed and recorded by the court administrator under a like penalty. If such marriage does not take place in such meeting, such certificate shall be signed by the parties and at least six witnesses present, and shall be filed and recorded as above provided under a like penalty.

Subd. 2. **Baha'i.** Marriages may be solemnized among members of the Baha'i faith by the chair of an incorporated local Spiritual Assembly of the Baha'is, according to the form and usage of such society.

Subd. 3. **Hindus; Muslims.** Marriages may be solemnized among Hindus or Muslims by the person chosen by a local Hindu or Muslim association, according to the form and usage of their respective religions.

Subd. 4. **American Indians.** Marriages may be solemnized among American Indians according to the form and usage of their religion by an Indian Mide' or holy person chosen by the parties to the marriage.

Subd. 5. **Construction of section.** Nothing in subdivisions 2 to 4 shall be construed to alter the requirements of section 517.01, 517.09 or 517.10.