

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH SESSION**

**S.F. No. 2422**

(SENATE AUTHORS: MARTY)

DATE	D-PG	OFFICIAL STATUS
03/06/2014	6002	Introduction and first reading Referred to Judiciary
04/01/2014	7329a 7343	Comm report: To pass as amended Second reading
05/06/2014	8744 8744	Special Order Third reading Passed

1.1 A bill for an act  
 1.2 relating to marriage; authorizing notaries to perform civil marriages; amending  
 1.3 Minnesota Statutes 2012, section 359.04; Minnesota Statutes 2013 Supplement,  
 1.4 section 517.04.

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

1.6 Section 1. Minnesota Statutes 2012, section 359.04, is amended to read:

1.7 **359.04 POWERS.**

1.8 Every notary public so appointed, commissioned, and qualified shall have power  
 1.9 throughout this state to administer all oaths required or authorized to be administered in  
 1.10 this state; to take and certify all depositions to be used in any of the courts of this state; to  
 1.11 take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and  
 1.12 other instruments in writing or electronic records; to solemnize a civil marriage pursuant  
 1.13 to section 517.04, paragraph (b), and to receive, make out, and record notarial protests.

1.14 Sec. 2. Minnesota Statutes 2013 Supplement, section 517.04, is amended to read:

1.15 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

1.16 (a) Civil marriages may be solemnized throughout the state by an individual who  
 1.17 has attained the age of 21 years and is a judge of a court of record, a retired judge of a  
 1.18 court of record, a court administrator, a retired court administrator with the approval of the  
 1.19 chief judge of the judicial district, a former court commissioner who is employed by the  
 1.20 court system or is acting pursuant to an order of the chief judge of the commissioner's  
 1.21 judicial district, the residential school administrators of the Minnesota State Academy  
 1.22 for the Deaf and the Minnesota State Academy for the Blind, a licensed or ordained  
 1.23 minister of any religious denomination, or by any mode recognized in section 517.18. For

2.1 purposes of this section, a court of record includes the Office of Administrative Hearings  
2.2 under section 14.48.

2.3 (b) Civil marriages may be solemnized throughout the state by an individual who  
2.4 has attained the age of 21 years and is a commissioned resident or nonresident notary  
2.5 under chapter 359. The notary must have filed the notary's current notary commission  
2.6 pursuant to section 359.061, subdivision 1 or 2, and must also have and obtained a county  
2.7 notary certificate pursuant to section 359.061, subdivision 4, prior to solemnizing a civil  
2.8 marriage. The county where the notary commission is filed shall be endorsed upon the  
2.9 certificate of civil marriage by the notary. The notary shall uphold the standards of  
2.10 conduct in section 359.085 in solemnizing a civil marriage.