



MARRIAGE LICENSE LAWS OF CONNECTICUT

Sections 46b-20 TO 46b-35b, inclusive, & Sections 46b-38qq to 46b-38rr of the Connecticut General Statutes

**State of Connecticut
Department of Public Health
410 Capitol Avenue
P.O. Box 340308
Hartford, Connecticut 06134-0308**

CHAPTER 815e MARRIAGE

Section 46b-20. Definitions.

As used in this chapter:

- (1) "Registrar" means the registrar of vital statistics;
- (2) "Applicant" means applicant for a marriage license;
- (3) "License" means marriage license; and
- (4) "Marriage" means the legal union of two persons.

Section 46b-20a. Eligibility to Marry.

A person is eligible to marry if such person is:

- (1) Not a party to another marriage, or a relationship that provides substantial rights, benefits and responsibilities as a marriage, entered into in this state or jurisdiction, unless the parties to the marriage will be the same as such other marriage or relationship;
- (2) Except as provided in section 46b-30 of the general statutes, at least eight age;
- (3) Except as provided in section 46b-29 of the general statutes, not under the control of a conservator; and
- (4) Not prohibited from entering into a marriage pursuant to section 46b-21 of the general statutes, as amended by this act.

Sec. 46b-24a. Validation of marriages occurring in town other than town where All marriages celebrated before June 7, 2006, otherwise valid except that the license for a marriage was issued in a town other than the town in this state in which such marriage was celebrated or where either party to the marriage resided at the time of the marriage license application, shall be validated.

Sec. 46b-25. (Formerly Sec. 46-5b). Application for license. No license may be issued until both persons have appeared before the registrar and made application for a license. The registrar shall issue a license to any two persons eligible to marry under this chapter. The license shall be completed in its entirety, dated, signed and sworn to by each applicant and shall state the names, ages, race, birthplace, residence, whether single, widowed or divorced and whether under the supervision or control of a conservator or guardian. The Social Security numbers of the applicants shall be recorded in the "administrative purposes" section of the license. If the license is signed by the applicants on different dates, the earlier date shall be deemed the date of application.

Sec. 46b-28. When marriages in foreign country are valid. All marriages in which the parties are citizens of this state, celebrated in a foreign country, shall be valid, provided: (1) the parties have legal capacity to contract such marriage in this state and the marriage is celebrated in accordance with the law of that country; or (2) the marriage is celebrated, in the presence of the minister to that country from the United States or in the presence of a consular officer of the United States accredited to such country, at a place within his consular jurisdiction, by any clergyman engaged in the work of the ministry in any state of the United States or in the District of Columbia.

Section 46b-28a. Recognition of marriages and other relationships entered into in another state or jurisdiction. A marriage, or a relationship that provides substantially the same rights and responsibilities as a marriage, between two persons entered into in another state or jurisdiction and recognized as valid by such other state or jurisdiction shall be recognized as a valid marriage in this state, provided such marriage or relationship is not expressly prohibited by statute in this state.

Section 46b-28b. Recognition by another state or jurisdiction of marriages entered into in another state. A marriage between two persons entered into in this state and recognized as valid in another state may be recognized as a marriage, or a relationship that provides substantially the same rights and responsibilities as a marriage, in another state or jurisdiction if one or both persons were residents of such other state or jurisdiction at the time of the marriage.

Sec. 46b-29. (Formerly Sec. 46-5e). Marriage of persons under conservatorship. A license may be issued to any applicant under the supervision or control of a conservator in accordance with sections 45a-644 to 45a-662, inclusive, unless the written consent of the conservator, signed and acknowledged before a person authorized to take acknowledgments of conveyances under the provisions of section 47-5a, or authorized to take acknowledgments in any other state or country, is filed with the registrar.

(b) Any person married without the consent provided for in subsection (a) of this section shall lose all rights by such marriage in the property of any person who was under such control or supervision at the time of the marriage.

Sec. 46b-30. (Formerly Sec. 46-5f). Marriage of minors. (a) No license may be issued to any person under sixteen years of age, unless the judge of probate for the district in which the minor resides endorses his written consent on the license.

(b) No license may be issued to any applicant under eighteen years of age, unless a parent or guardian of the person of such minor, signed and acknowledged before a person authorized to take acknowledgments of conveyances under the provisions of section 47-5a, or acknowledged in any other state or country, is filed with the registrar. If no parent or guardian of such minor is a resident of the United States, the written consent of the judge of probate for the district in which the minor resides, endorsed on the license, shall be sufficient.

Sec. 46b-33. (Formerly Sec. 46-5j). Copy of law to applicants. Each registrar shall sections 46b-24, 46b-25 and 46b-29 to 46b-33, inclusive, to any person making applic license.

Sec. 46b-34. (Formerly Sec. 46-7). Marriage certificate. Affidavit in lieu of certifi: person who joins any person in marriage shall certify upon the license certificate the fa place of the marriage, and return it to the registrar of the town where the marriage tool or during the first week of the month following the marriage. Any person who fails to de fined not more than ten dollars.

(b) If any person fails to return the certificate to the registrar, as required under subse section, the persons joined in marriage may provide the registrar with a notarized affidavit the fact that they were joined in marriage and stating the date and place of the marriag recording of such affidavit by the registrar, the marriage of the affiants shall be deeme of the date of the marriage stated in the affidavit.

Sec. 46b-35. Certificates prima facie evidence. The certificates required by sections 24a, 46b-25 and 46b-29 to 46b-34, inclusive, or an affidavit recorded pursuant to subs section 46b-34, shall be prima facie evidence of the facts stated in them.

Sec. 46b-35a. Refusal to provide services or accommodations related to the soli celebration of a marriage on religious grounds. Notwithstanding any other provisio religious organization, association or society, or any nonprofit institution or organizatio supervised or controlled by or in conjunction with a religious organization, association not be required to provide services, accommodations, advantages, facilities, goods or individual if the request for such services, accommodations, advantages, facilities, goc is related to the solemnization of a marriage or celebration of a marriage and such soli celebration is in violation of their religious beliefs and faith. Any refusal to provide serv accommodations, advantages, facilities, goods or privileges in accordance with this se create any civil claim or cause of action, or result in any state action to penalize or with from such religious organization, association or society, or any nonprofit institution or c operated, supervised or controlled by or in conjunction with a religious organization, a society.

Sec. 46b-35b. Effect of marriage equality law on provision of adoption, foster ca services by religious organization. Nothing in this act shall be deemed or construec manner in which a religious organization may provide adoption, foster care or social s religious organization does not receive state or federal funds for that specific program

Sec. 46b-38qq. Merger of civil union into marriage by action of the parties. (a) On 23, 2009, and prior to October 1, 2010, two persons who are parties to a civil union en pursuant to sections 46b-38aa to 46b-38oo, inclusive, may apply for and be issued a r provided such persons are otherwise eligible to marry under chapter 815e and the par marriage will be the same as the parties to the civil union.

(b) After the celebration of such marriage and upon the recording of the license certifi affidavit with the registrar of vital statistics of the town where the marriage took place p section 46b-34, the civil union of such persons shall be merged into the marriage by o as of the date of the marriage stated in the certificate or affidavit.

Sec. 46b-38rr. Merger of civil union into marriage by default. Exception. (a) Two | parties to a civil union established pursuant to sections 46b-38aa to 46b-38oo, inclusiv been dissolved or annulled by the parties or merged into a marriage by operation of la 46b-38qq as of October 1, 2010, shall be deemed to be married under chapter 815e o such civil union shall be merged into such marriage by operation of law on said date.

(b) Notwithstanding the provisions of subsection (a) of this section, the parties to a civ respect to which a proceeding for dissolution, annulment or legal separation is pending 2010, shall not be deemed to be married on said date and such civil union shall not be such marriage by operation of law but shall continue to be governed by the provisions statutes applicable to civil unions in effect prior to October 1, 2010.

Section 46b-21. Marriage of persons related by consanguinity or affinity prohi
No person may marry such person's parent, grandparent, child, grandchild, sibling, sibling's child, stepparent or stepchild. Any marriage within these degrees is void.

Sec. 46b-22. (Formerly Sec. 46-3). Who may join persons in marriage. Penalty performance. (a) Persons authorized to solemnize marriages in this state include (1) retired judges, either elected or appointed, including federal judges and judges of other jurisdictions, (2) family support magistrates, justices of the peace who are appointed in Connecticut, and (3) all ordained or licensed clergy, belonging to this state or any other state, as long as they continue in the work of their respective religions. All marriages solemnized according to the forms and usages of any religious denomination, including marriages witnessed by a duly constituted Spiritual Assembly of the Bahá'í Faith, and all marriages attempted to be celebrated by any other person are void.

(b) No public official legally authorized to issue marriage licenses may join persons in marriage under authority of a license issued by himself, or his assistant or deputy; nor may any such public official join persons in marriage under authority of a license issued by such public official.

(c) Any person violating any provision of this section shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

Sec. 46b-22a. Validation of marriages performed by unauthorized justice of the peace. Marriages celebrated before June 7, 2006, otherwise valid except that the justice of the peace who joined such persons in marriage did not have a valid certificate of qualification, are valid if the justice of the peace who joined such persons in marriage represented himself or herself as a qualified justice of the peace and such persons reasonably relied upon such representation.

Section 46b-22b. Refusal to solemnize or participate in ceremony solemnizing marriages on religious grounds.

- (a) No member of the clergy authorized to join persons in marriage pursuant to the provisions of the general statutes shall be required to solemnize any marriage in violation of his or her free exercise of religion guaranteed by the first amendment to the United States Constitution or section 3 of article first of the Constitution of the state.
- (b) No church or qualified church-controlled organization, as defined in 26 USC 3042, shall be required to participate in a ceremony solemnizing a marriage in violation of the religious tenets of such church or qualified church-controlled organization.

Sec. 46b-23. (Formerly Sec. 46-4). Joining persons in marriage knowingly with
person who undertakes to join persons in marriage, knowing that he is not authorized to do so, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

Section 46b-24. License. Period of validity. Penalty for solemnization without a
marriage ceremony.

- (a) No persons may be joined in marriage in this state until both have complied with the provisions of sections 46b-24, 46b-25 and 46b-29 to 46b-33, inclusive, and have been issued a license by the registrar for the town in which the marriage is to be celebrated, which license shall include certification of the registrar that the persons named therein have complied with the provisions of said sections.
- (b) Such license, when certified by the registrar, is sufficient authority for any person to perform a marriage ceremony in this state to join such persons in marriage, provided the ceremony is performed within a period of not more than sixty-five days after the date of issuance of the license.
- (c) Anyone who joins any persons in marriage without having received such license shall be fined not more than one hundred dollars.
- (d) Except as otherwise provided in this chapter, in order to be valid in this state, a marriage shall be conducted by and in the physical presence of a person who is authorized to solemnize marriages.