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**TESTIMONY ON 21-S 14,
AN ACT RELATING TO SOLEMNIZATION OF MARRIAGES
January 28, 2021**

The ACLU supports this bill's goal of establishing a process for individuals to be able to solemnize particular marriages without having to go through the current inefficient process of seeking a legislative sponsor to do so. The General Assembly's long tradition in that regard demonstrates a recognition that, in light of the very personal and important nature of marriage, couples should have the ability to ask close friends or others meaningful to them to serve in this ministerial capacity. It only makes sense to formalize the process in a way that does not rely on the vagaries of the legislative process and whether the General Assembly is or is not in session, and that avoids the added stress to a couple's life wondering whether approval will be granted in time.

We would, however, recommend some revisions to the process established by the bill. First, the bill requires the officiant to be eligible to vote in Rhode Island. Such a requirement does not exist for those people who are currently authorized to officiate at marriages under R.I.G.L. §§15-3-5 or 15-3-6, or for those who have been given solemnization authority by the General Assembly via special resolution over the years. Whether it's a longtime friend living out of town or a fellow graduate student colleague who is here on a visa, the only criterion the bill should require, we believe, is that the person chosen be of the age of majority.

Second, the bill gives the Governor complete discretion, without any standards, to deny a person the right to officiate at a wedding. But this should not be a political process; we believe that, absent some evidence of fraud, approvals should be pro forma.

Finally, in order to avoid one of the problems that makes this new process so welcome, it might be useful for the legislation to establish a specified time frame for the Governor to act on a solemnization request.

Again, we strongly support this effort and hope you will give these suggestions your favorable consideration.

Submitted by: Steven Brown, Executive Director