



STATE REPRESENTATIVE

TOM LARSON

Testimony on Assembly Bill 429 February 19, 2014

Mr. Chairman and committee members, thank you for the opportunity to speak to you today on behalf of Assembly Bill 429.

At the request of the Wisconsin County Clerks Association (WCCA), AB 429 makes two commonsense changes to the state statutes that govern who may officiate at a marriage.

The first change requires that an officiant must be at least 18 years old. Current law imposes no minimum age, with the result that children may officiate. The WCCA believes that allowing minors to officiate “erodes the institution of marriage” and “increases the likelihood of administrative errors” in the documentation officiants are required to complete and file with the counties.

The second change involves a requirement Wisconsin law currently imposes on out-of-state members of the clergy who come to Wisconsin to officiate at marriages. Current law requires a nonresident officiant who is affiliated with a particular denomination to have in his or her possession a “letter of sponsorship” from a resident member of the clergy of the same denomination. However, no such requirement applies to a nonresident officiant who is *not* affiliated with a religion – for example, someone who was ordained online or who is a member of a faith that does not ordain, license, or appoint clergy. In addition, a 2005 Opinion of the Attorney General indicates that county clerks do not have the authority to determine whether someone is authorized to officiate at a marriage ceremony. (For all practical purposes, that burden rests with the couple getting married.) In other words, the letter-of-sponsorship requirement serves no purpose and creates an unnecessary bureaucratic hoop for members of the clergy to jump through. AB 429 simply deletes that requirement.

AB 429 has the support of county clerks from both parties, and it has enjoyed bipartisan support at every stage of the legislative process so far. The Assembly passed AB 429 on a voice vote last week, and I respectfully ask the committee to recommend passage by the Senate.

Thank you for your time and consideration, and I am happy to answer any questions you may have at this time.