

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

Kent Weichmann

E-mail:

weichmann@earthlink.net

Bill Number:

[SB 1176](#) (Cherry) Family law; marriage and divorce; persons authorized to solemnize marriage; provide prohibition if ordained via mail or internet or other electronic means. Amends sec. 7 of 1846 RS 83 (MCL [551.7](#)).

Date position was adopted:

March 6, 2010

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

19 Voted for position

0 Voted against position

0 Abstained from vote

2 Did not vote

Position:

Oppose

Explanation of the position, including any recommended amendments:

SB 1176 would amend the definition of persons who are authorized to solemnize a marriage so that a “minister of the gospel or cleric or religious practitioner” does not include those who were ordained by mail or by the internet or other electronic means. A religious practitioner who took four years of mail order courses would not be authorized, but anyone ordained during a half-hour seminar at a local hotel would be OK. It is not appropriate (and of dubious constitutionality) for the legislature to determine valid religions, especially for the purpose of solemnizing marriages, where it would appear that the couple is the best judge of the process. The Family Law Section opposes this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2010-SB-1176>