

Rhode Island Marriage Officiant Guide

Officiants: Everyone who is the minister in good standing of any society professing to meet for religious purposes, or incorporated for the promotion of such purposes, and holding stated and regular services, and who has been ordained according to the customs and usages of such society may perform marriages. **Ministers must endorse and return the marriage license within 72 hours (three business days) to the town or city clerk in which the marriage was performed.**

Solemnization of Marriage: Solemnization of the marriage shall be conducted in the presence of at least two witnesses who have reached the age of majority, in addition to the Officiant, at the ceremony.

MARRIAGE LICENSE INFORMATION

Much of the information below is state law in Rhode Island; however, this information can vary by location, and is subject to change. We recommend contacting your city or town clerk's office before applying for your marriage license.

ID Requirement: Proof of birth facts should be supplied, preferably certified copies of the birth certificates of the parties to the marriage. For persons born outside the United States who cannot obtain a birth record, a passport or alien card is acceptable.

Residency Requirement: None. However, the marriage license must be obtained from the City or Town Clerk of the bride's residence, if the bride is a Rhode Island resident. If the bride is not a resident of Rhode Island, but the groom is, the license must be obtained from the City or Town Clerk of the groom's residence. In either case, the marriage license is valid in any city or town in Rhode Island and the couple may be married anywhere in Rhode Island.

If neither the party to the marriage is a resident of Rhode Island, the marriage license must be obtained at the City or Town Clerk's Office where the ceremony is to take place. This is because Rhode Island law states that the marriage license is valid only in the city or town in which it was issued. If the marriage ceremony is performed in a city or town other than the city or town of issuance, the validity of the marriage record may be in question. Item 15c on the marriage license lists the location where the marriage license is valid.

If Previously Married: If either applicant has been married previously and that marriage ended in divorce, such applicant must present a certified copy of final decree of divorce to the City or Town Clerk. **NOTE:** If either applicant has been married previously and that marriage ended in death, a certified copy of the death record should be presented to the City or Town Clerk.

Application Requirement: Both parties to the marriage, personally, must sign the marriage license in the presence of the City or Town Clerk or his/her assistant, attesting to the truth of the information listed thereon. No information on the marriage license may be changed by the parties to the marriage after the license is issued. If any information is in error, the parties to the marriage must contact the state registrar after the marriage record has been filed.

Marriage License Fee: \$24 — Cash Only.

Waiting Period: None. The license may be used immediately

Blood Tests: No tests required.

Under 18: A Minor's Permit to marry (VS10) must be completed if a female applicant is 16 or 17 years of age. The permit must be signed and notarized in the presence of the City or Town Clerk or any clerk employed in that office. If this is not possible, contact the State Office of Vital Records for instructions.

- A female under age 16 and a male under age 18 cannot secure a marriage license in the State of Rhode Island without the approval of the Family Court.
- Applicants must be 18 or older to obtain a marriage license.

Proxy Marriages: Not permitted. Both parties to the marriage must be present.

Common Law Marriage: Not permitted.

Same-Gender Marriage: Permitted. As of August 1, 2013, same-gender marriage is legal in Rhode Island. Also, as of that date, Rhode Island no longer allows couples to enter into a civil union. Any person who otherwise meets the marriage eligibility requirements of R.I.G.L. Chapters 15-1 and 15-2 may marry any other marriage-eligible person.

Cousin Marriage: Permitted. A man cannot marry his aunt, but can marry his cousin. A woman may marry her uncle, provided that she is Jewish.

Valid: A Rhode Island marriage license is valid for 90 days. The marriage license can only be solemnized within the State of Rhode Island.

For additional information, please visit FirstNationMinistry.org

The above information is believed to be correct, but does not purport to be legal advice, is not all-inclusive and shall be used only as a guide. Under the terms specified in your ordination, you are solely responsible for becoming familiar with and complying to all current laws and regulations in effect within the jurisdiction in which you will conduct ceremonies.

State of Rhode Island General Law

TITLE 15

Domestic Relations

CHAPTER 15-3

Solemnization of Marriages

SECTION 15-3-5

§ 15-3-5 Officials empowered to join persons in marriage.

Every ordained clergy or elder in good standing; every justice of the supreme court, superior court, family court, workers' compensation court, district court or traffic tribunal; the clerk of the supreme court; every clerk, administrative clerk, or general chief clerk of a superior court, family court, district court, or traffic tribunal; magistrates, special or general magistrates of the superior court, family court, traffic tribunal or district court; administrative clerks of the district court; administrators of the workers' compensation court; every former justice or judge and former administrator of these courts; every former chief clerk of the district court; every former clerk, administrative clerk, or general chief clerk of a superior court; the secretary of the senate; elected clerks of the general assembly; any former secretary of the senate; any former elected clerk of the general assembly who retires after July 1, 2007; judges of the United States appointed pursuant to Article III of the United States Constitution; bankruptcy judges appointed pursuant to Article I of the United States Constitution; and United States magistrate judges appointed pursuant to federal law, may join persons in marriage in any city or town in this state; and every justice and every former justice of the municipal courts of the cities and towns in this state and of the police court of the town of Johnston and the administrator of the Johnston municipal court, while he or she is serving as an administrator, and every probate judge and every former probate judge may join persons in marriage in any city or town in this state, and wardens of the town of New Shoreham may join persons in marriage in New Shoreham.

History of Section.

(G.L. 1896, ch. 191, § 8; C.P.A. 1905, § 1228; G.L. 1909, ch. 243, § 8; P.L. 1922, ch. 2207, § 1; G.L. 1923, ch. 287, § 8; P.L. 1932, ch. 1896, § 1; P.L. 1933, ch. 2042, § 1; G.L. 1938, ch. 415, § 8; P.L. 1949, ch. 2290, § 1; G.L. 1956, § 15-3-5; P.L. 1974, ch. 290, § 1; P.L. 1978, ch. 326, § 1; P.L. 1979, ch. 327, § 1; P.L. 1980, ch. 382, § 1; P.L. 1981, ch. 363, § 2; P.L. 1987, ch. 489, § 1; P.L. 1988, ch. 561, § 1; P.L. 1988, ch. 607, § 1; P.L. 1990, ch. 139, § 1; P.L. 1990, ch. 163, § 1; P.L. 1991, ch. 132, § 5; P.L. 1991, ch. 205, § 4; P.L. 1994, ch. 103, § 1; P.L. 1994, ch. 199, § 1; P.L. 1994, ch. 249, § 1; P.L. 1998, ch. 451, § 1; P.L. 2002, ch. 70, § 1; P.L. 2002, ch. 123, § 1; P.L. 2004, ch. 6, § 42; P.L. 2004, ch. 444, § 1; P.L. 2007, ch. 174, § 1; P.L. 2007, ch. 259, § 1; P.L. 2008, ch. 85, § 1; P.L. 2008, ch. 89, § 1; P.L. 2013, ch. 321, § 1; P.L. 2013, ch. 351, § 1; P.L. 2014, ch. 484, § 1; P.L. 2014, ch. 512, § 1.)

**GENERAL
MARRIAGE REQUIREMENTS
IN THE
STATE
OF
RHODE ISLAND**



Rhode Island Department of Health

Division of Vital Records
3 Capitol Hill, Room 101
Providence, RI 02908-5097
(401) 222-2812
www.health.ri.gov

Marriage Requirements In the State of Rhode Island

GENERAL REQUIREMENTS

How To Apply for a Marriage License

Both applicants must:

- Apply for the marriage license in person and personally sign the license in the presence of the city or town clerk or his/her assistant, attesting to the truth of the information listed thereon.
- Present proof of birth facts and identification.
- If previously married, civilly united or in a registered domestic partnership, present a certified copy of the **FINAL** decree of divorce (with the seal of the court), dissolution, or death certificate of the previous spouse/partner.
- If under age 18, or under control of a legal guardian, the parent or legal guardian must complete a Minor's Permit to Marry. If either applicant is under the age of 16, court permission to marry is required.
- For a list of city and town offices, use the HEALTH web site www.health.ri.gov

Please note: If the applicants do not marry, the marriage license should be returned to the city or town office where the license was issued.

SPECIFIC REQUIREMENTS

Where To Apply for a Marriage License

Residents of R I

- **If both applicants live in Rhode Island**, apply for the license from the city/town clerk of the city/town residence of either applicant.

The marriage license is valid in any city or town in Rhode Island; the couple may be married anywhere in Rhode Island.

NON-Residents of RI

- **If neither applicant lives in Rhode Island**, the marriage license must be obtained at the city or town clerk's office WHERE THE CEREMONY WILL TAKE PLACE. RI law states that the marriage license is valid **only** in the city or town in which it was issued.
- If the marriage ceremony is performed in a city or town other than the city or town of issuance, the validity of the marriage may be in question.

Cost of the Marriage License **\$24.00**

Who Is Allowed to Correct Information on the Marriage Certificate

- Only the State Office of Vital Records
- If any information is in error, contact the State Office at 401-222-2812 after the marriage license has been registered.

Responsibilities of the Applicants

Both applicants must supply:

1. Proof of Birth Facts and Identification

- Proof of birth facts, preferably a long-form certified copy of birth certificate. A passport or alien card may be accepted for persons born outside the United States who cannot obtain a birth record.
- Additional requirements may exist in some locations. For example, some offices require a government-issued picture ID in addition to a certified copy of a birth certificate. Some offices will not accept a passport without a certified copy of a birth certificate.
- Contact the city or town office where you will apply for the license to verify the requirements and the hours of operation. A list of city and town offices with phone numbers may be located on the HEALTH website at www.health.ri.gov under the Vital Records section.

2. Permit to Marry for Minors and Persons Under Legal Guardianship

- A Permit to Marry (VS 10) must be completed if either applicant is 16 or 17 years of age or under control of a legal guardian. The permit should be signed and notarized in the presence of the city or town clerk, or any clerk employed in that office. If this is not possible, please contact the Division of Vital Records for instructions.
- Applicants under the age of 16 cannot secure a marriage license in the state of Rhode Island without the approval of Family Court.

3. Proof That Previous Marriages, Civil Unions or Registered Domestic Partnerships Have Ended

- If either applicant has been previously married, civilly united or in a registered domestic partnership, and the previous marriage, civil union or registered domestic partnership ended in divorce, disillusion or death, such applicant must present a certified copy of the **FINAL** decree of divorce or disillusion, or a certified copy of the death certificate to the city or town clerk.
- **The couple must give the license to the officiant.**

4. Accurate information

Any person who willfully and knowingly supplies false information intending that the information be used in the preparation of a marriage license shall be punished by a fine of not more than \$1,000 or imprisoned not more than one year, or both, pursuant to Section 23-3-28 of the RI General Laws.

When and Where the Ceremony Should Occur

- The license is valid for **three (3) months**.
- The marriage license lists the **dates** when the marriage license is valid. The ceremony must occur during that three-month period.
- The marriage license lists the **location** where the marriage license is valid.

Who May Be Witnesses at the Ceremony

- In addition to the officiant, the solemnization of marriage shall be in the presence of at least two (2) witnesses who have reached the age of legal majority (18 years of age).
- If the honor attendants are less than 18 years of age, two other witnesses to the ceremony who have reached the age of 18 may sign as witnesses.

Who May Perform the Ceremony

General Laws of Rhode Island § 15-3-5: Officials empowered to join persons in marriage. – Every ordained clergy or elder in good standing, every justice of the supreme court, superior court, family court, workers' compensation court, district court or administrative adjudication court, the clerk of the supreme court, every clerk or general chief clerk of a superior court, family court, district court, or administrative adjudication court, magistrates, special or general magistrates of the superior court, family court or district court, administrators of the workers' compensation court, every former justice or judge and former administrator of these courts and every former chief clerk of the district court, and every former clerk or general chief clerk of a superior court may join persons in marriage in any town in this state; and every justice and every former justice of the municipal courts of the cities and towns in this state and of the police court of the town of Johnston and every probate judge may join persons in marriage in any city or town in this state, and wardens of the town of New Shoreham may join persons in marriage in New Shoreham.

Responsibilities of the Officiant

- Perform the ceremony
- Obtain the signatures of the witnesses, and complete the **Officiant/Witnesses portion** on the license in **black ink**. No liquid correction fluid may be used.
- **Register the marriage license with the city or town clerk where the license was issued within 72 hours.**

How and When To Obtain Certified Copies of the Marriage Certificate

- Complete an application at one of the following locations
 - The city or town clerk's office where the license was issued.
 - The State Office of Vital Records within a month.
 - The city or town where the ceremony took place.
- Pay the fee of \$20.00 for one copy and \$15.00 for additional copies obtained at the same time