

# Tennessee Marriage Officiant Guide

**Marriage Officiants:** All regular ministers, preachers, pastors, priests, rabbis and other spiritual leaders of every religious belief, more than eighteen (18) years of age, “having the care of souls,” and ordained “by a considered, deliberate, and responsible act” may perform marriage ceremonies.

No state or local registration is required, and non-resident Officiants may also serve without restriction. The Officiant must endorse the marriage license and return it to the clerk of the county court within three days after the marriage.

## MARRIAGE LICENSE INFORMATION

*Much of the information below is state law in Tennessee; however, this information can vary from county to county, and is subject to change. We recommend contacting your county clerk's office before applying for your marriage license.*

**ID Requirement:** Valid driver's license or certified birth certificate or valid passport.

**Residency Requirement:** You do not have to be a resident of Tennessee.

**If previously married:** A copy of the divorce decree is required.

**Application Requirement:** Both parties to the marriage must appear in person at the time of applying.



**Proxy Marriages:** Not permitted. Both parties must be present to apply.

**Fees:** \$97.50 to \$107.50, depending on the county, unless you receive four hours of marriage counseling. If your county approves your counselor and your completed session, you will be given a \$60 discount. If your session is not approved by either the counselor or county, you must pay the full fee.

**Waiting Period:** No waiting period if over 18. Three days if either applicant is under 18.

**Under Age 18:** If either party is under the age of 18, they must be accompanied by parents. If under the age of 16, Tennessee law requires that the couple receives a court order before being allowed to marry.

**Blood Tests:** No blood test requirement.

**Common Law Marriage:** Not permitted.

**Cousin Marriage:** First-cousin marriage is permitted. All consanguineous prohibitions in Tennessee refer to lineal relations. Cousins are lateral relations and are therefore not prohibited.

**Same-Gender Marriage:** Permitted following U.S. Supreme Court decision of 26 June 2015.

**Valid:** A Tennessee marriage license is valid for 30 days. The marriage license can only be used within the State of Tennessee. Out-of-state marriage licenses may not be solemnized in Tennessee.

**NOTE:** The Tennessee Division of Vital Records (<http://www.state.tn.us>) issues certified copies of birth, death, marriage, and divorce certificates, for events which occurred within the state of Tennessee.

*For additional information, please visit [FirstNationMinistry.org](http://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.

# Tennessee Code Annotated

## Title 36 — Domestic Relations

### Chapter 3 — Marriage

#### Part 3 — Ceremony

##### §36-3-301. *Persons who may solemnize marriages.*

(a)(1) All regular ministers, preachers, pastors, priests, rabbis and other spiritual leaders of every religious belief, more than eighteen (18) years of age, having the care of souls, and all members of the county legislative bodies, county mayors, judges, chancellors, former chancellors and former judges of this state, former county executives or county mayors of this state, former members of quarterly county courts or county commissions, the governor, the speaker of the senate and former speakers of the senate, the speaker of the house of representatives and former speakers of the house of representatives, the county clerk of each county, former county clerks of this state who occupied the office of county clerk on or after July 1, 2014, and the mayor of any municipality in the state may solemnize the rite of matrimony. For the purposes of this section, the several judges of the United States courts, including United States magistrates and United States bankruptcy judges, who are citizens of Tennessee are deemed to be judges of this state. The amendments to this section by Acts 1987, ch. 336, which applied provisions of this section to certain former judges, do not apply to any judge who has been convicted of a felony or who has been removed from office.

(2) In order to solemnize the rite of matrimony, any such minister, preacher, pastor, priest, rabbi or other spiritual leader must be ordained or otherwise designated in conformity with the customs of a church, temple or other religious group or organization; and such customs must provide for such ordination or designation by a considered, deliberate, and responsible act.

(3) If any marriage has been entered into by license issued pursuant to this chapter at which any minister officiated before June 1, 1999, such marriage shall not be invalid because the requirements of the preceding subdivision (2) have not been met.

(b) The traditional marriage rite of the Religious Society of Friends (Quakers), whereby the parties simply pledge their vows one to another in the presence of the congregation, constitutes an equally effective solemnization.

(c) Any gratuity received by a county mayor, county clerk or municipal mayor for the solemnization of a marriage, whether performed during or after such person's regular working hours, shall be retained by such person as personal remuneration for such services, in addition to any other sources of compensation such person might receive, and such gratuity shall not be paid into the county general fund or the treasury of such municipality.

(d) If any marriage has been entered into by license regularly issued at which a county executive officiated prior to April 24, 1981, such marriage shall be valid and is hereby declared to be in full compliance with the laws of this state.

(e) For the purposes of this section, "retired judges of this state" is construed to include persons who served as judges of any municipal or county court in any county that has adopted a metropolitan form of government and persons who served as county judges (judges of the quarterly county court) prior to the 1978 constitutional amendments.

(f) If any marriage has been entered into by license regularly issued at which a retired judge of this state officiated prior to April 13, 1984, such marriage shall be valid and is hereby declared to be in full compliance with the laws of this state.

(g) If any marriage has been entered into by license issued pursuant to this chapter at which a judicial commissioner officiated prior to March 28, 1991, such marriage is valid and is declared to be in full compliance with the laws of this state.

(h) The judge of the general sessions court of any county, and any former judge of any general sessions court, may solemnize the rite of matrimony in any county of this state. Any marriage performed by any judge of the general sessions court in any county of this state before March 16, 1994, shall be valid and declared to be in full compliance with the laws of this state.

(i) All elected officials and former officials, who are authorized to solemnize the rite of matrimony pursuant to the provisions of subsection (a), may solemnize the rite of matrimony in any county of this state.

(j) If any marriage has been entered into by license issued pursuant to this chapter at which a county mayor officiated outside such mayor's county prior to May 29, 1997, such marriage is valid and is declared to be in full compliance with the laws of this state.

(k) The judge of the municipal court of any municipality, whether elected or appointed, shall have the authority to solemnize the rite of matrimony in any county of the state.