

NOTE: The governor signed this measure on 5/27/2015.

An Act

HOUSE BILL 15-1327

BY REPRESENTATIVE(S) Ginal and Roupe, Priola, Tate, Carver, Danielson, Esgar, Hullinghorst, Joshi, Landgraf, Lebsock, McCann, Melton, Pabon, Primavera, Rosenthal, Ryden, Salazar, Sias, Singer, Thurlow, Vigil, Winter, Brown, Conti, Court, Fields, Pettersen, Saine, Williams, Windholz, Young;
also SENATOR(S) Garcia and Cooke, Woods, Balmer, Grantham, Roberts.

CONCERNING LIMITATIONS ON PROXY MARRIAGES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 14-2-109, **amend** (2) as follows:

14-2-109. Solemnization and registration of marriages - proxy marriage. (2) (a) THE REQUIREMENTS FOR APPLYING FOR A MARRIAGE LICENSE FOR A PROXY MARRIAGE ARE THE FOLLOWING:

(I) ONE PARTY TO THE PROXY MARRIAGE IS A RESIDENT OF THE STATE OF COLORADO;

(II) ONE PARTY TO THE PROXY MARRIAGE APPEARS IN PERSON TO APPLY FOR THE MARRIAGE LICENSE AND PAYS THE FEES REQUIRED IN

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 14-2-106 (1);

(III) THE SIGNATURES OF BOTH PARTIES TO THE PROXY MARRIAGE ARE REQUIRED, AND THE PARTY PRESENT SHALL SIGN THE MARRIAGE LICENSE APPLICATION, AS PRESCRIBED IN SECTION 14-2-105 (2), AND PROVIDE AN ABSENTEE AFFIDAVIT FORM, AS PRESCRIBED BY THE STATE REGISTRAR, CONTAINING THE NOTARIZED SIGNATURE OF THE ABSENT PARTY, ALONG WITH PROPER IDENTIFICATION DOCUMENTS AS SPECIFIED IN SECTION 14-2-105 (1) (a) FOR THE ABSENT PARTY; AND

(IV) NOTWITHSTANDING THE REQUIREMENTS OF SECTION 14-2-106 (1) (a) (I), BOTH PARTIES TO THE PROXY MARRIAGE ARE EIGHTEEN YEARS OF AGE OR OLDER.

(b) If a party to a marriage is unable to be present at the solemnization, ~~such~~ THE ABSENT party may authorize in writing a third person to act as ~~such~~ THE ABSENT party's proxy FOR PURPOSES OF SOLEMNIZATION OF THE MARRIAGE, IF THE ABSENT PARTY IS:

(I) A MEMBER OF THE ARMED FORCES OF THE UNITED STATES WHO IS STATIONED IN ANOTHER COUNTRY OR IN ANOTHER STATE IN SUPPORT OF COMBAT OR ANOTHER MILITARY OPERATION; OR

(II) AN INDIVIDUAL WHO IS A GOVERNMENT CONTRACTOR, OR AN EMPLOYEE OF A GOVERNMENT CONTRACTOR, WORKING IN SUPPORT OF THE ARMED FORCES OF THE UNITED STATES OR IN SUPPORT OF UNITED STATES MILITARY OPERATIONS IN ANOTHER COUNTRY OR IN ANOTHER STATE AND WHO SUPPLIES PROPER IDENTIFICATION OF THAT STATUS.

(c) If the person solemnizing the marriage is satisfied that the absent party is unable to be present and has consented to the marriage, such person may solemnize the marriage by proxy. If such person is not satisfied, the parties may petition the district court for an order permitting the marriage to be solemnized by proxy.

SECTION 2. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Bill L. Cadman
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO