

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 308 Session of  
2015

INTRODUCED BY CALTAGIRONE, THOMAS, J. HARRIS, COHEN, KOTIK,  
FREEMAN, PETRARCA, YOUNGBLOOD, HARKINS, GILLEN, JOZWIAK AND  
KORTZ, FEBRUARY 2, 2015

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 16, 2015

## AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, in marriage ceremony, further  
3 providing for persons qualified to solemnize marriages.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 1503(a)(2) AND (5.1) of Title 23 of the <--  
7 Pennsylvania Consolidated Statutes ~~is~~ ARE amended to read: <--

8 § 1503. Persons qualified to solemnize marriages.

9 (a) General rule.--The following are authorized to solemnize  
10 marriages between persons that produce a marriage license issued  
11 under this part:

12 \* \* \*

13 (2) A former or retired justice, judge or magisterial  
14 district judge of this Commonwealth who is serving as a  
15 senior judge or senior magisterial district judge as provided  
16 or prescribed by law; or not serving as a senior judge or  
17 senior magisterial district judge but meets the following

1 criteria:

2 (i) has served as a magisterial district judge,  
3 judge or justice[, whether or not continuously or on the  
4 same court,] by election or appointment [for an aggregate  
5 period equaling a full term of office];

6 (ii) has not been defeated for reelection or  
7 retention;

8 (iii) has not been convicted of, pleaded nolo  
9 contendere to or agreed to an Accelerated Rehabilitative  
10 Disposition or other probation without verdict program  
11 relative to any misdemeanor or felony offense under the  
12 laws of this Commonwealth or an equivalent offense under  
13 the laws of the United States or one of its territories  
14 or possessions, another state, the District of Columbia,  
15 the Commonwealth of Puerto Rico or a foreign nation;

16 (iv) has not resigned a judicial commission to avoid  
17 having charges filed or to avoid prosecution by Federal,  
18 State or local law enforcement agencies or by the  
19 Judicial Conduct Board;

20 (v) has not been removed from office by the Court of  
21 Judicial Discipline; and

22 (vi) is a resident of this Commonwealth.

23 \* \* \*

24 (5.1) A FORMER MAYOR OF A CITY OR BOROUGH OF THIS  
25 COMMONWEALTH WHO:

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26 (I) HAS NOT BEEN DEFEATED FOR REELECTION;

27 (II) HAS NOT BEEN CONVICTED OF, PLEADED NOLO  
28 CONTENDERE TO OR AGREED TO AN ACCELERATED REHABILITATIVE  
29 DISPOSITION OR OTHER PROBATION WITHOUT VERDICT PROGRAM  
30 RELATIVE TO A MISDEMEANOR OR FELONY OFFENSE UNDER THE

1 LAWS OF THIS COMMONWEALTH OR AN EQUIVALENT OFFENSE UNDER  
2 THE LAWS OF THE UNITED STATES OR ANY ONE OF ITS  
3 POSSESSIONS, ANOTHER STATE, THE DISTRICT OF COLUMBIA, THE  
4 COMMONWEALTH OF PUERTO RICO OR A FOREIGN NATION;

5 (III) HAS NOT RESIGNED THE POSITION OF MAYOR TO  
6 AVOID HAVING CHARGES FILED OR TO AVOID PROSECUTION BY  
7 FEDERAL, STATE OR LOCAL LAW ENFORCEMENT AGENCIES;

8 (IV) HAS SERVED AS A MAYOR[, WHETHER CONTINUOUSLY OR  
9 NOT,] BY ELECTION [FOR AN AGGREGATE OF A FULL TERM IN  
10 OFFICE]; AND

11 (V) IS A RESIDENT OF THIS COMMONWEALTH.

12 \* \* \*

13 Section 2. This act shall take effect immediately.