
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1296 Session of
2017

INTRODUCED BY CALTAGIRONE, READSHAW, MILLARD, KINSEY, ROZZI,
D. COSTA, PASHINSKI, V. BROWN, MATZIE, WARREN AND GILLEN,
APRIL 27, 2017

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 27, 2017

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 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
18 criteria:

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

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

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

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

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

21 (vi) is a resident of this Commonwealth.

22 * * *

23 (5.1) A former mayor of a city or borough of this
24 Commonwealth who:

25 (i) has not been defeated for reelection;

26 (ii) has not been convicted of, pleaded nolo
27 contendere to or agreed to an Accelerated Rehabilitative
28 Disposition or other probation without verdict program
29 relative to a misdemeanor or felony offense under the
30 laws of this Commonwealth or an equivalent offense under

1 the laws of the United States or any one of its
2 possessions, another state, the District of Columbia, the
3 Commonwealth of Puerto Rico or a foreign nation;

4 (iii) has not resigned the position of mayor to
5 avoid having charges filed or to avoid prosecution by
6 Federal, State or local law enforcement agencies;

7 (iv) has served as a mayor[, whether continuously or
8 not,] by election [for an aggregate of a full term in
9 office]; and

10 (v) is a resident of this Commonwealth.

11 * * *

12 Section 2. This act shall take effect immediately.