
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1197 Session of
2019

INTRODUCED BY CALTAGIRONE, KINSEY, HILL-EVANS, MILLARD, PYLE,
MURT AND MARKOSEK, APRIL 15, 2019

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 15, 2019

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[,] or pleaded nolo
8 contendere to [or agreed to an Accelerated Rehabilitative
9 Disposition or other probation without verdict program
10 relative to any] a misdemeanor or felony offense under
11 the laws of this Commonwealth or an equivalent offense
12 under the laws of the United States or one of its
13 territories or possessions, another state, the District
14 of Columbia, the Commonwealth of Puerto Rico or a foreign
15 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:

26 (i) has not been defeated for reelection;

27 (ii) has not been convicted of[,] or 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] or appointment; and

11 (v) is a resident of this Commonwealth.

12 * * *

13 Section 2. This act shall take effect immediately.