

2018 Regular Session

HOUSE BILL NO. 747 (Substitute for House Bill No. 390 by Representative Emerson)

BY REPRESENTATIVE EMERSON

1 AN ACT

2 To amend and reenact Subpart A of Part IV of Chapter 1 of Code Title IV of Code Book I
3 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:241
4 through 243, relative to the performance of marriage ceremonies; to provide for the
5 waiting period before conducting a marriage ceremony; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart A of Part IV of Chapter 1 of Code Title IV of Code Book I of
9 Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:241 through 243, is
10 hereby amended and reenacted to read as follows:

11 PART IV. DELAYS AND CEREMONY

12 SUBPART A. ~~SEVENTY-TWO~~ TWENTY-FOUR HOUR DELAY

13 §241. Premature ceremony prohibited

14 An officiant may not perform a marriage ceremony until ~~seventy-two~~ twenty-
15 four hours have elapsed since the issuance of the marriage license.

16 §242. Waiver of delay

17 A. A judge, justice of the peace, or retired justice of the peace authorized to
18 perform the marriage may waive the ~~seventy-two-hour~~ twenty-four-hour delay upon
19 application of the parties giving serious and meritorious reasons. His certificate
20 authorizing the immediate performance of the ceremony must be attached to the
21 marriage license.

22 B. Notwithstanding the provisions of R.S. 9:241, an officiant authorized to
23 perform marriage ceremonies in the parish of Orleans may waive the ~~seventy-two-~~

1 ~~hour~~ twenty-four-hour delay for nonresident parties upon application of the parties
 2 giving serious and meritorious reasons. His certificate authorizing the immediate
 3 performance of the ceremony shall be attached to the marriage license. For purposes
 4 of this Subsection, "nonresident" shall mean a person domiciled or residing in a
 5 jurisdiction other than the state of Louisiana.

6 §243. Penalty

7 An officiant who violates R.S. 9:241, ~~other than~~ except for a judge, justice
 8 of the peace or an officiant authorized to perform marriage ceremonies in the parish
 9 of Orleans and who is authorized to waive the ~~seventy-two-hour~~ twenty-four-hour
 10 delay pursuant to the provisions of R.S. 9:242(B), may have his authority to perform
 11 marriage ceremonies revoked by the state registrar of vital records. The revocation
 12 may not exceed one year.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____