

TWENTY-SECOND NORTHERN MARIANAS COMMONWEALTH

LEGISLATURE

IN THE HOUSE OF REPRESENTATIVES

Session, 2022

H. B. 22- 113

A BILL FOR AN ACT

To amend 8 CMC §1204 to remove the ten-day restriction to submit a marriage certificate by any religious and/or non-religious entity; and for other purposes.

BE IT ENACTED BY THE 22ND NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:

1 **Section 1. Findings and Purpose.** The Legislature finds that pursuant to
2 8 CMC §1204, any person authorized to perform a marriage is required to submit
3 the respective marriage certificate to the Clerk of Court of the Commonwealth Trial
4 Court for marriage registry purposes within ten (10) days. Due to various
5 circumstances, many marriage certificates were not properly filed in a timely
6 manner or may not have been properly recorded in the courts' marriage registry.
7 Cognizant of such missing certificates, the Legislature finds that it is crucially
8 pertinent to remove such time restrictions to allow for the respective religious/non-
9 religious entity to properly file their marriage certificates with the respective Clerk

1 of Court. The benefits of several individuals who have lost their spouses rely
2 heavily on such record.

3 The Legislature also finds that many widowed spouses who were wedded
4 many years ago have experienced great hardship in gaining a copy of their
5 respective marriage certificate from the Commonwealth Trial Courts. Such
6 certificates are necessary for widowed spouses to legally claim the benefits left by
7 their deceased partners, such as land, funds, and so forth. Due to the current
8 language of 8 CMC §1204, these respective widows have been left in problematic
9 circumstances that have contributed great distress to their well-being. In their time
10 of great loss, it is important to allow widowed spouses to avail of benefits yielded
11 by the passing of their deceased spouses. Their marriage should be properly
12 recognized regardless of the circumstances that prohibited their marriage from
13 being filed in the courts' marriage registry.

14 Therefore, the purpose of this Act is to amend 8 CMC §1204 to remove the
15 ten-day restriction to submit a marriage certificate by any religious and/or non-
16 religious entity and for other purposes.

17 **Section 2. Amendment.** 8 CMC §1204 is hereby amended to read as
18 follows:

19 **“§1204. Records; Certificates; Register.**

20 It is the duty of every person authorized by any religious or non-
21 religious entity to perform marriages to make and preserve a record of

1 every marriage performed by that person, regardless of the citizenship
 2 of the parties, showing the names of the persons married, their places of
 3 residence and the date of marriage, and to deliver to the bride
 4 immediately after the ceremony a certificate of the record of the
 5 marriage, signed by the person performing the marriage, two witnesses,
 6 if there were as many as two, and the persons married. ~~Not later than 10~~
 7 ~~days after the ceremony,~~ ¶The person performing the marriage shall send
 8 a copy of the marriage certificate to the clerk of courts of the
 9 Commonwealth Trial Court to be recorded in the marriage register.
 10 Forms issued by the Governor for the marriage certificates shall be used
 11 when available, but lack of these forms does not excuse failure to
 12 provide the bride with the certificate and the clerk with the copy
 13 required above in substantially the same form, and containing the same
 14 information as in the forms issued by the Governor.”

15 **Section 3. Severability.** If any provisions of this Act or the application of
 16 any such provision to any person or circumstance should be held invalid by a court
 17 of competent jurisdiction, the remainder of this Act or the application of its
 18 provisions to persons or circumstances other than those to which it is held invalid
 19 shall not be affected thereby.

20 **Section 4. Savings Clause.** This Act and any repealer contained herein
 21 shall not be construed as affecting any existing right acquired under contract or

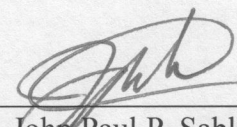
1 acquired under statutes repealed or under any rule, regulation, or order adopted
2 under the statutes. Repealers contained in this Act shall not affect any proceeding
3 instituted under or pursuant to prior law. The enactment of the Act shall not have
4 the effect of terminating, or in any way modifying, any liability, civil or criminal,
5 which shall already be in existence on the date this Act becomes effective.

6 **Section 5. Effective Date.** This Act shall take effect upon its approval by
7 the Governor, or its becoming law without such approval.

Prefiled: 8/22/2022

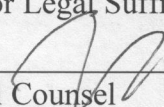
Date: 8/22/22

Introduced by:



Rep. John Paul P. Sablan

Reviewed for Legal Sufficiency by:



House Legal Counsel