

**TWENTY-THIRD NORTHERN MARIANAS COMMONWEALTH  
LEGISLATURE**

**IN THE HOUSE OF REPRESENTATIVES**

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**Regular Session, 2023**

**H. B. 23- 18**

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**A BILL FOR AN ACT**

To amend 8 CMC §1204, as amended by Public Law 22-25, to create an exemption to the requirement that a marriage certificate include the “places of residence”.

**BE IT ENACTED BY THE 23<sup>RD</sup> NORTHERN MARIANAS  
COMMONWEALTH LEGISLATURE:**

1           **Section 1. Findings and Purpose.** The Legislature finds that Public Law  
2 22-25 amended 8 CMC §1204 to remove the ten-day restriction to submit a  
3 marriage certificate by any religious and/or non-religious entity that was enacted  
4 into law on November 3, 2022. The time limit was preventing otherwise valid  
5 marriage certificates from being filed with the CNMI Recorder.

6           The Legislature further finds that the CNMI Recorder is authorized to file  
7 marriage certificates only if the certificates detail certain information, including  
8 "places of residence" for the bride and groom. However, before the modernization  
9 of marriage certificates for governmental purposes, church certificates did not  
10 always include information regarding residences. This is particularly true during  
11 the time when marriage was administered when the islands of the Northern

1 Marianas were still under the Trust Territory of the Pacific Islands.

2         The Legislature finds that the inability of a person to file an otherwise valid  
3 marriage certificate can prevent a governmental agency from confirming the  
4 marital status of that person. For example, a person seeking to initiate survivor  
5 retirement benefits might not be able to complete the administrative process if the  
6 Recorder is unable to file the marriage certificate.

7         The Legislature, therefore, finds that it is necessary to create an exception  
8 to the requirement that a marriage certificate include "places of residence" if the  
9 certificate was executed during the time that the islands of the Northern Marianas  
10 were under governance of the Trust Territory of the Pacific Islands and to make the  
11 amendment apply retroactively to allow such marriage certificates to be recognized  
12 by the CNMI government and filed at the Commonwealth Superior Court.

13         **Section 2. Amendment.** 8 CMC §1204, as amended by Public Law 22-25,  
14 is hereby amended to read as follows:

15                 **“§1204. Records; Certificates; Register.**

16                 (a) It is the duty of every person authorized by any religious or  
17 non-religious entity to perform marriages to make and preserve a record  
18 of every marriage performed by that person, regardless of the  
19 citizenship of the parties, showing the names of the persons married,  
20 their places of residence, if applicable, and the date of marriage, and to  
21 deliver to the bride immediately after the ceremony a certificate of the

1 record of the marriage, signed by the person performing the marriage,  
2 two witnesses, if there were as many as two, and the persons married.  
3 The person performing the marriage shall send a copy of the marriage  
4 certificate to the clerk of courts of the Commonwealth Superior Court  
5 to be recorded in the marriage register. Forms issued by the Governor  
6 for the marriage certificates shall be used when available, but lack of  
7 these forms does not excuse failure to provide the bride with the  
8 certificate and the clerk with the copy required above in substantially  
9 the same form, and containing the same information as in the forms  
10 issued by the Governor.

11 (b) An exception to the requirement that a marriage certificate  
12 include "places of residence" exists if the certificate was executed  
13 during the time that the Northern Mariana Islands were under  
14 governance of the Trust Territory of the Pacific Islands."

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.

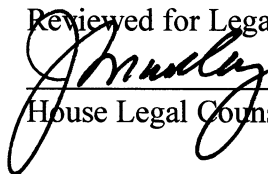
Prefiled: Jan. 24, 2023

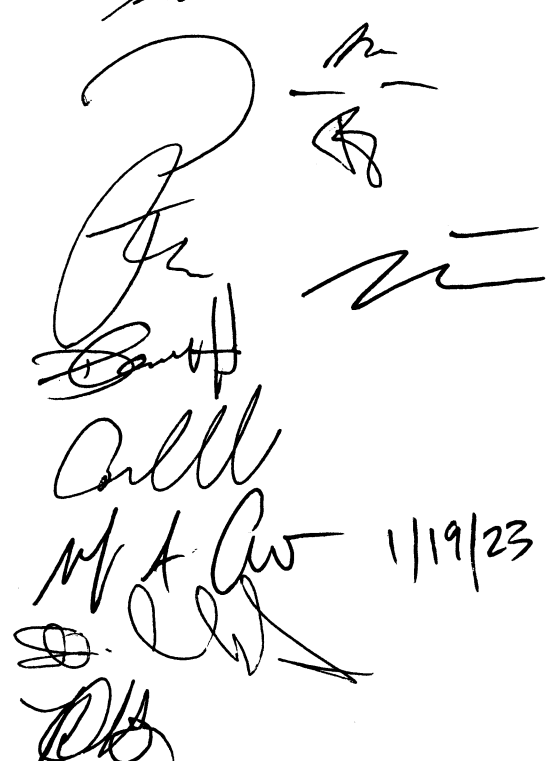
Date: 1/24/2023

Introduced by:

  
Rep. John Paul P. Sablan

Reviewed for Legal Sufficiency by:

 1-23-23  
House Legal Counsel

  
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