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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites of marriage; clerk; issuance of order; bond requirement.

[H 905]

Approved

Be it enacted by the General Assembly of Virginia:
1. That § 20-25 of the Code of Virginia is amended and reenacted as follows:
§ 20-25. Persons other than ministers who may perform rites.

Upon ~~petition~~ application filed with the clerk of the circuit court and payment of applicable clerk's fees, any circuit court judge such clerk may issue an order authorizing one or more persons resident in the circuit in which the judge sits to celebrate the rites of marriage in the Commonwealth. Any person so authorized shall may be required to, before acting, enter into bond in the penalty of \$500, with or without surety, as the court clerk may direct; however, upon a showing that the person would otherwise be qualified for in forma pauperis status, the court clerk may waive such bond. Any order made under this section may be rescinded at any time. No oath shall be required of a person authorized to celebrate the rites of marriage, nor shall such person be considered an officer of the Commonwealth by virtue of such authorization. *The clerk of any circuit court shall be immune from any cause of action that arises from the issuance or rescinding of an order under this section, absent gross negligence or willful misconduct.*

Any judge or justice of a court of record, any judge of a district court, any retired judge or justice of the Commonwealth, any active, senior, or retired federal judge or justice who is a resident of the Commonwealth, or any current or former (i) member of the General Assembly, (ii) Governor of Virginia, (iii) Lieutenant Governor of Virginia, (iv) Attorney General of Virginia, (v) Virginia member of the United States Senate or United States House of Representatives, or (vi) clerk of a circuit court of the Commonwealth who is a resident of the Commonwealth may celebrate the rites of marriage anywhere in the Commonwealth without the necessity of bond or order of authorization.