



RON TUSLER

STATE REPRESENTATIVE • 3rd ASSEMBLY DISTRICT

**Assembly Committee on Family Law
Assembly Bill 19**

April 27, 2021

Mr. Chairman and members of the committee, thank you for the opportunity to provide testimony on Assembly Bill 19, relating to justices or judges authorized to officiate a marriage.

Under current law, a marriage may only be performed by certain people, including Wisconsin judicial officers, an ordained member of the clergy of any religious denomination, or a licensee or appointee of a religious society.¹ Unfortunately, the language in this statute (“[a]ny judge of a court of record...”) as interpreted precludes judicial officials from other states and the federal bench from presiding over marriages in Wisconsin.

This bill, developed with the assistance of Wisconsin Courts System officials, allows out-of-state and federal judges and justices to officiate weddings in Wisconsin. Thirty five other U.S. jurisdictions allow judges and justices from other U.S. states, territories, or the federal bench to perform marriages, including our regional sister states of Illinois, Indiana, Michigan, and Minnesota.² Adding Wisconsin to the list allowing out-of-state and federal judicial officials gestures good will toward our fellow states, members of the judiciary throughout the county, and will help make couples’ wedding day extra special by having a qualified officiant of their choice, be it a family member or friend, participate in their special day.

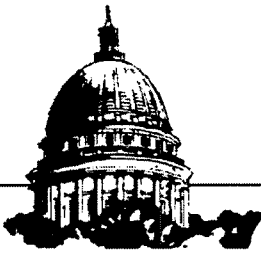
In 2007, a U.S. Supreme Court Justice could not officiate a Wisconsin wedding. While that ceremony had a happy ending thanks to some old-fashioned Wisconsin ingenuity and determination to ‘make it happen,’ this bill clears the way to make this aspect of wedding planning a bit less stressful.³

Thank you for your time and consideration of this bill. I respectfully urge your support.

¹ See Wis. Stat. § 765.16 (2017-18).

² A list of U.S. jurisdictions with similar provisions is on file with the authors.

³ The 2007 wedding is briefly mentioned in *People*, The Third Branch, Vol. 15 No. 2 (Spring 2007), at 22 (available at <https://www.wicourts.gov/news/thirdbranch/docs/spring07.pdf>).



DALE KOOYENGA
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April 27, 2021

TO: Members of the Assembly Committee on Family Law
FR: Senator Dale Kooyenga
RE: Support for Assembly Bill 19

Committee chair and members of the committee, thank you for holding a hearing on Assembly Bill 19, legislation relating to justices or judges authorized to officiate a wedding.

While justices in Wisconsin have had the authority to officiate weddings for years, justices outside of Wisconsin do not have that authority. Under current law, a marriage may only be performed by certain Wisconsin judicial officers, an ordained member of the clergy of any religious denomination, or a licensee or appointee of a religious society.

This legislation seeks to expand those who are able to wed others by allowing out-of-state and federal judges and justices to officiate weddings in Wisconsin. Assembly Bill 359, which allowed this authorization, passed with strong bipartisan support last session.

Thirty-five other states across the nation allow out-of-state judges and justices to officiate weddings in their states including four in the Midwest: Minnesota, Michigan, Illinois and Indiana.

As our married colleagues can attest, wedding planning can be stressful, with many small details and aspects that must be accounted for to make that special day run smoothly. By allowing judges and justices from other states to preside over weddings, Wisconsin will become a more appealing wedding destination presenting soon-to-be newlyweds the opportunity to choose an officiant that is most appropriate for them.

The original bill allowed a Mej Koob to be used as an officiant; this is an individual who participates in traditional Hmong wedding ceremonies. There is a disagreement within the Hmong community on the use of a Mej Koob. As a result, Senator Carpenter and I introduced an amendment to have this provision removed.

Thank you for your time and consideration of this legislation. I respectfully encourage your support.