

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Committee Substitute

for

House Bill 4546

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LOVEJOY

[Reported on February 20, 2018; Referred to the
Committee on the Judiciary.]

1 A BILL to amend and reenact §48-2-102 of the Code of West Virginia, 1931, as amended, relating
2 to where marriage license applicants may apply for a marriage license in this state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. MARRIAGES.

**§48-2-102. Where an application for a marriage license may be made; when an application
may be received and a license issued; application by mail.**

1 (a) ~~If one or both of the applicants are residents of this state, they may apply for a marriage~~
2 ~~license to be issued by the clerk of the county commission of the county in which a resident~~
3 ~~applicant usually resides. If both parties are nonresidents of this state, they~~ Applicants, regardless
4 of their state or county residency, may apply for a license to be issued by the clerk of the county
5 commission in any county in this state.

6 (b) Applications for licenses may be received and licenses may be issued by the clerk of
7 the county commission when the office of the clerk is officially open for the conduct of business.

NOTE: The purpose of this bill is to permit parties from two different counties in West Virginia to apply for and be issued a marriage license in any county in this state. The bill puts state residents from different counties on the same basis as two out of state residents.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.