

**As Reported by the House State Government Committee**

**128th General Assembly  
Regular Session  
2009-2010**

**H. B. No. 63**

**Representatives Letson, Fende**

**Cosponsors: Representatives Yuko, Slesnick, Stewart, Schneider, Sayre,  
Goyal, Foley, Harris, Harwood, Pillich, Hagan, Winburn, Skindell, Williams, S.,  
Patten, Garland, Bolon, Mallory**

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**A B I L L**

To amend section 3101.08 and to enact section 101.261 1  
of the Revised Code to permit members of the 2  
General Assembly to perform civil marriage 3  
ceremonies in Ohio. 4

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 3101.08 be amended and section 5  
101.261 of the Revised Code be enacted to read as follows: 6

**Sec. 101.261.** Each member currently holding office in the 7  
general assembly has the authority and jurisdiction to perform 8  
marriage ceremonies anywhere in the state. Any fee collected by 9  
the member for performance of a marriage ceremony shall be donated 10  
directly to a foundation or other charitable organization that is 11  
exempt from federal income taxation under subsection 501(c)(3) of 12  
the Internal Revenue Code. A fee collected and donated as 13  
described in this section shall not be considered a violation of 14  
section 102.03 or 102.04 of the Revised Code or Section 31 of 15  
Article II, Ohio Constitution. 16

Sec. 3101.08. The following persons may join together as 17  
husband and wife any persons who are not prohibited by law from 18  
being joined in marriage: 19

(A) An ordained or licensed minister of any religious society 20  
or congregation within this state who is licensed to solemnize 21  
marriages,~~—a~~i 22

(B) A judge of a county court in accordance with section 23  
1907.18 of the Revised Code,~~—a~~i 24

(C) A judge of a municipal court in accordance with section 25  
1901.14 of the Revised Code,~~—a~~i 26

(D) A probate judge in accordance with section 2101.27 of the 27  
Revised Code,~~—the~~i 28

(E) A current member of the general assembly in accordance 29  
with section 101.261 of the Revised Code; 30

(F) The mayor of a municipal corporation in any county in 31  
which such municipal corporation wholly or partly lies,~~—the~~i 32

(G) The superintendent of the state school for the deaf,~~—or~~  
~~any~~i 33  
34

(H) Any religious society in conformity with the rules of its 35  
church, ~~may join together as husband and wife any persons who are~~ 36  
~~not prohibited by law from being joined in marriage.~~ 37

**Section 2.** That existing section 3101.08 of the Revised Code 38  
is hereby repealed. 39