

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5:
Solemnization § Sec. 25.05.261**

(a) Marriages may be solemnized (1) by a minister, priest, or rabbi of any church or congregation in the state, or by a commissioned officer of the Salvation Army, or by the principal officer or elder of recognized churches or congregations that traditionally do not have regular ministers, priests, or rabbis, anywhere within the state; (2) by a marriage commissioner or judicial officer of the state anywhere within the jurisdiction of the commissioner or officer; or (3) before or in any religious organization or congregation according to the established ritual or form commonly practiced in the organization or congregation. (b) This section may not be construed to waive the requirements for obtaining a marriage license.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 6:
Penalties § Sec. 25.05.341**

A person who misrepresents a fact required to be stated on the application for a license or a form related to it, or a licensing officer who issues a marriage license having reason to believe that any material fact has been misrepresented, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$500.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5:
Solemnization § Sec. 25.05.261**

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**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 6:
Penalties § Sec. 25.05.351**

A licensing officer who refuses or neglects to keep a complete record of each application and of each marriage license issued, or who fails to keep marriage license applications open for inspection or examination by the public during office hours is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$50. Each failure, neglect, or refusal constitutes a separate offense.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1:
Requirements for Marriage § Sec. 25.05.021**

Marriage is prohibited and void if performed when (1) either party to the proposed marriage has a husband or wife living; or (2) the parties to the proposed marriage are more closely related to each other than the fourth degree of consanguinity, whether of the whole or half blood, computed according to rules of the civil law.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1:
Requirements for Marriage § Sec. 25.05.031**

If either party to a marriage is incapable of consenting to it at the time of the marriage for want of marriageable age of consent or sufficient understanding, or if the consent of either party is obtained by force or fraud, or if either party fails to consummate the marriage, the marriage is voidable but only at the suit of the party under the disability or upon whom the force or fraud is imposed.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 3:
Procedure to Obtain a License § Sec. 25.05.161**

If a three-day waiting period would result in undue hardship or delay in an individual case, the licensing officer may waive the three-day requirement.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 6:
Penalties § Sec. 25.05.331**

A licensing officer who knowingly issues a marriage license knowing it to be in violation of the provisions of this chapter or who wilfully and wrongfully refuses to issue a license is guilty of a misdemeanor, and

upon conviction is punishable by imprisonment for not more than six months, or by a fine of not more than \$500, or by both.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1: Requirements for Marriage § Sec. 25.05.011

(a) Marriage is a civil contract entered into by one man and one woman that requires both a license and solemnization. The man and the woman must each be at least one of the following: (1) 18 years of age or older and otherwise capable; (2) qualified for a license under AS 25.05.171 ; or (3) a member of the armed forces of the United States while on active duty. (b) A person may not be joined in marriage in this state until a license has been obtained for that purpose as provided in this chapter. A marriage performed in this state is not valid without solemnization as provided in this chapter.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1: Requirements for Marriage § Sec. 25.05.013

(a) A marriage entered into by persons of the same sex, either under common law or under statute, that is recognized by another state or foreign jurisdiction is void in this state, and contractual rights granted by virtue of the marriage, including its termination, are unenforceable in this state. (b) A same-sex relationship may not be recognized by the state as being entitled to the benefits of marriage.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1: Requirements for Marriage § Sec. 25.05.041

(a) If a marriage is in other respects lawful and is consummated with the full belief on the part of the persons married, or either of them, that they have been lawfully joined in marriage, then the marriage is not voidable for any of the following reasons: (1) the licensing officer did not have jurisdiction to issue the license; (2) there was an omission, informality, or irregularity of form in the application for the license or in the license itself; (3) either or both witnesses to the marriage were incompetent; (4) the marriage was solemnized after the expiration date of the license; (5) there were no witnesses to the marriage if the valid license was issued and if the solemnization of the marriage can be otherwise proven. (b) If a license has been issued and the marriage solemnized as provided in this chapter and the parties to it have immediately thereafter assumed the habit and repute of husband and wife and have continued to cohabit as husband and wife for one year or until the death of either of them, the marriage shall not be void or voidable solely on the ground the license cannot be produced.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1:
Requirements for Marriage § Sec. 25.05.051**

If, during the lifetime of a husband or wife with whom a marriage is still in force, a person remarries and the parties to the subsequent marriage live together as husband and wife, and one of the parties to the subsequent marriage believes in good faith that the former husband or wife is dead or that the former marriage has been annulled or dissolved by a divorce or is without knowledge of the former marriage, then after the death or divorce of the other party to the former marriage, if they continue to live together as husband and wife in good faith on the part of one of them, they are legally married from the time of removal of the impediment, and the issue of the subsequent marriage are the legitimate issue of both parents, whether born before or after the removal of the impediment.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 1:
Requirements for Marriage § Sec. 25.05.061**

A marriage contracted after January 1, 1964, is void unless a license has first been obtained as provided in this chapter. If the parties to a marriage void for failure to obtain a license validate the marriage by complying with the requirements of this chapter, the issue of the void marriage are legitimate.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 2:
Licensing Officers § Sec. 25.05.071**

A licensing officer is the only official who may issue marriage licenses under this chapter.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 2:
Licensing Officers § Sec. 25.05.081**

The presiding judge in each judicial district may, if the public interest requires, appoint one or more suitable persons as marriage commissioners. The presiding judge shall describe the marriage commissioner's area of jurisdiction in the order of appointment. A marriage commissioner may, within that jurisdiction, solemnize marriages in the same manner as a district judge or magistrate and may exercise any power, other than the power to issue marriage licenses, necessarily incident to the duties of a marriage commissioner. The clerk of court shall issue to the marriage commissioner a certified copy of the order of appointment and send a copy of it to the bureau.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 3:
Procedure to Obtain a License § Sec. 25.05.091**

(a) One of the contracting parties to a prospective marriage shall, at least three days before the time of issuance, file with the licensing officer written, verbal, or telegraphic application for a license. Before issuance of the license, each contracting party shall make a statement under oath that the contemplated marriage meets the requirements of law, giving the names, relationship if any, residence, occupation, and age of each party; naming guardians of any party under the legal age for marriage; and describing any prior marriage of either party, and the manner of dissolution of it. This statement may be made and executed before a notary public or postmaster who shall certify it to the licensing officer. (b) In addition to the requirements of (a) of this section, each contracting party to the prospective marriage shall provide to the licensing officer the party's social security number, if any. Upon request, the licensing officer shall provide a social security number provided under this subsection to the child support services agency created in AS 25.27.010 , or the child support enforcement agency of another state, for child support purposes authorized under law.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 3: Procedure to Obtain a License § Sec. 25.05.111

(a) A marriage license may not be issued unless both of the contracting parties are identified to the satisfaction of the licensing officer. If all requirements have been met, and there is no legal objection to the contemplated marriage, and neither party is under the influence of intoxicating liquor or otherwise incapable of understanding the seriousness of the proceeding, the licensing officer shall issue a license. (b) With a license issued under (a) of this section, the licensing officer shall also give to the parties written information about fetal alcohol effects and the fetal health effects of chemical abuse and battering during pregnancy. The Department of Health and Social Services shall prepare or obtain this information and submit it in distributable form to each licensing officer in the state.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 3: Procedure to Obtain a License § Sec. 25.05.121

The marriage license issued by a licensing officer in this state authorizes the marriage ceremony to be performed anywhere in the state. The license shall be directed "to any person authorized by the laws of this state to solemnize marriage," and shall authorize that person to solemnize marriage between the parties identified by the license within three months of the date of the license. If either party is not of legal age for marriage, that party's age and the fact of the consent of the parents or guardian of the underaged party shall be stated. If either party has previously been married, the number of previous

marriages shall be stated. The registrar may require other matter necessary to identify the parties to be included in the license. The issuance of a license does not remove or dispense with any legal disability, impediment, or prohibition rendering marriage between the parties illegal, and a statement to that effect shall be included in the license.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 3: Procedure to Obtain a License § Sec. 25.05.171

(a) A person who has reached the age of 16 but is under the age of 18 shall be issued a marriage license if the written consent of the parents, the parent having actual care, custody, and control, or a guardian of the underaged person is filed with the licensing officer issuing the marriage license under AS 25.05.111 . (b) A superior court judge may grant permission for a person who has reached the age of 14 but is under the age of 18 to marry and may order the licensing officer to issue the license if the judge finds, following a hearing at which the parents and minor are given the opportunity to appear and be heard, that the marriage is in the best interest of the minor and that either (1) the parents have given their consent; or (2) the parents are (A) arbitrarily and capriciously withholding consent; (B) absent or otherwise unaccountable; (C) in disagreement among themselves on the question; or (D) unfit to decide the matter.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 4: Forms, Records, and Reports § Sec. 25.05.191

A licensing officer shall make available an application for a marriage license for completion by the parties who wish to be married. The officer shall keep the completed applications, a record of licenses issued, and all other information that the officer is required by law to obtain. These records shall be kept in the office of the licensing officer and shall be open for public inspection or examination during normal office hours.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 4: Forms, Records, and Reports § Sec. 25.05.221

(a) Forms for application, statements, consent of parents, affidavits, licenses, and other forms necessary to comply with this chapter shall be prescribed by the registrar and provided at the expense of the state. The registrar shall furnish all necessary forms to each licensing officer. (b) The registrar shall supervise the record work and required reporting of the licensing officers.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 4: Forms, Records, and Reports § Sec. 25.05.231

The registrar may require reports of licenses issued upon forms to be furnished by the registrar

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 4: Forms, Records, and Reports § Sec. 25.05.241

The registrar shall establish marriage license fees and provide for accounting for and disposing of the fees.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 4: Forms, Records, and Reports § Sec. 25.05.251

Nothing in this chapter repeals or abrogates any part of AS 18.50 (Vital Statistics Act). The records and requirements leading up to and including the issuance of the marriage license are included in the definition of "vital statistics" under AS 18.50. The registrar shall supply the necessary forms and instructions for the licensing officers.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.271

The officiating person shall determine that the parties presenting themselves to be married are the parties named in the license. If the officiating person knows of a legal impediment to the marriage, the officiating person may not perform the ceremony.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.281

After a license has been obtained, a marriage solemnized before a person professing to be a minister, priest, or rabbi of a church or congregation in the state or a judicial officer or marriage commissioner is valid regardless of a lack of power or authority in the person, if the marriage is consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.291

When a religious ceremony between two parties follows a civil ceremony between them, one license is sufficient for both ceremonies.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.301

In the solemnization of marriage no particular form is required except that the parties shall assent or declare in the presence of each other and the person solemnizing the marriage and in the presence of at least two competent witnesses that they take each other to be husband and wife. A competent witness for this purpose is a person of sound mind capable of understanding the seriousness of the ceremony. At the time of the ceremony, the person solemnizing the marriage shall complete the certification on the original marriage certificate. The person solemnizing the marriage and the two attending witnesses shall sign the original marriage certificate and the necessary copies.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.311

A marriage contracted after January 1, 1964, is void unless the marriage has been solemnized as provided in this chapter. If the parties to a marriage void for failure to solemnize the marriage validate the marriage by complying with the requirements of this chapter, the issue of the void marriage are legitimate.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 5: Solemnization § Sec. 25.05.321

The person solemnizing the marriage shall, on the forms provided by the bureau, complete two short-form certificates, and, after that person and the two witnesses have signed them, give one to each of the parties to the marriage. A church or congregation may design and furnish its own form for this purpose, containing as a minimum the items contained in the form furnished by the bureau. The original marriage certificate shall be filed as required by AS 18.50 (Vital Statistics Act) and regulations adopted under it. The person solemnizing the marriage shall complete the certificate as required and submit it to the local registrar within seven days of the date the marriage is solemnized.

Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 6: Penalties § Sec. 25.05.361

A person who solemnizes a marriage without first receiving a proper marriage license from the parties as provided in this chapter or without the parties declaring to take each other as husband and wife, or without requiring the presence of two competent witnesses; or who solemnizes a marriage involving a person under the legal age of marriage without the consent of (1) the licensing official when authorized, or (2) the parents or guardian of the underaged person, being stated in the license; or who solemnizes a marriage knowing of any legal impediment thereto, or who solemnizes a marriage after the expiration of the license, or who falsely certifies to the date of a marriage solemnized by that person is guilty of a misdemeanor, and upon conviction is punishable by imprisonment for not more than six months, or by a fine of not more than \$500, or by both.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 6:
Penalties § Sec. 25.05.371**

A person not authorized by this chapter who wilfully or knowingly undertakes to solemnize a marriage in this state is guilty of a misdemeanor, and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$1,000, or by both.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 7:
General Provisions § Sec. 25.05.381**

In this chapter, (1) "bureau" means the Bureau of Vital Statistics; (2) "department" means the Department of Health and Social Services; (3) "licensing officer" means the registrar or a local registrar; (4) "local registrar" means a person appointed by the state registrar under AS 18.50.080 ; (5) "registrar" means the state registrar of vital statistics.

**Alaska Code - Title 25: Marital and Domestic Relations - Chapter 5: Alaska Marriage Code - Article 7:
General Provisions § Sec. 25.05.391**

This chapter may be cited as the Alaska Marriage Code.