

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-406

(a) For the purposes of this section, the term: (1) 'Religious' includes or pertains to a belief in a theological doctrine, a belief in and worship of a divine ruling power, a recognition of a supernatural power controlling man's destiny, or a devotion to some principle, strict fidelity or faithfulness, conscientiousness, pious affection, or attachment. (2) 'Society' means a voluntary association of individuals for religious purposes. (b) For the purpose of preserving the evidence of marriages in the District of Columbia, every minister of any religious society approved or ordained according to the ceremonies of his religious society, whether his residence is in the District of Columbia or elsewhere in the United States or the territories, may be authorized by any judge of the Superior Court of the District of Columbia to celebrate marriages in the District of Columbia. Marriages may also be performed by any judge or justice of any court of record; provided, that marriages of any religious society which does not by its own custom require the intervention of a minister for the celebration of marriages may be solemnized in the manner prescribed and practiced in any such religious society, the license in such case to be issued to, and returns to be made by, a person appointed by such religious society for that purpose. The Clerk of the Superior Court of the District of Columbia or such deputy clerks of the Court as may, in writing, be designated by the Clerk and approved by the Chief Judge, may celebrate marriages in the District of Columbia. (c) No priest, imam, rabbi, minister, or other official of any religious society who is authorized to solemnize or celebrate marriages shall be required to solemnize or celebrate any marriage. (d) Each religious society has exclusive control over its own theological doctrine, teachings, and beliefs regarding who may marry within that particular religious society's faith. (e)(1) Notwithstanding any other provision of law, a religious society, or a nonprofit organization that is operated, supervised, or controlled by or in conjunction with a religious society, shall not be required to provide services, accommodations, facilities, or goods for a purpose related to the solemnization or celebration of a marriage, or the promotion of marriage through religious programs, counseling, courses, or retreats, that is in violation of the religious society's beliefs. (2) A refusal to provide services, accommodations, facilities, or goods in accordance with this subsection shall not create any civil claim or cause of action, or result in a District action to penalize or withhold benefits from the religious society or nonprofit organization that is operated, supervised, or controlled by or in conjunction with a religious society.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-401

(a) Marriage is the legally recognized union of 2 persons. Any person may enter into a marriage in the District of Columbia with another person, regardless of gender, unless the marriage is expressly prohibited by § 46-401.01 or § 46-403. (b) Where necessary to implement the rights and responsibilities relating to the marital relationship or familial relationships, gender-specific terms shall be construed to be gender neutral for all purposes throughout the law, whether in the context of statute, administrative or court rule, policy, common law, or any other source of civil law.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-401.01

The following marriages are prohibited in the District of Columbia and shall be absolutely void ab initio, without being so decreed, and their nullity may be shown in any collateral proceedings, namely: (1)

Repealed. (2) Repealed. (2A) The marriage of a person with a person's grandparent, grandparent's spouse, spouse's grandparent, parent's sibling, parent, step-parent, spouse's parent, child, spouse's child, child's spouse, sibling, child's child, child's child's spouse, spouse's child's child, sibling's child. (3) The marriage of any persons either of whom has been previously married and whose previous marriage has not been terminated by death or a decree of divorce.

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Any of such marriages may also be declared to have been null and void by judicial decree.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-403

The following marriages in said District shall be illegal, and shall be void from the time when their nullity shall be declared by decree, namely: (1) The marriage of a person adjudged to be, or to have been at the time a marriage was performed, unable by reason of mental incapacity to give valid consent to marriage; (2) Any marriage the consent to which of either party has been procured by force or fraud; (3) Repealed. (4) When either of the parties is under the age of consent, which is hereby declared to be 16 years of age.

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A proceeding to declare the nullity of a marriage may be instituted in the case of an infant under the age of consent by such infant, through a next friend, or by the parent or guardian of such infant; and in the case of an idiot or lunatic, by next friend. But no such proceedings shall be allowed to be instituted by any person who, being fully capable of contracting a marriage, has knowingly and wilfully contracted any marriage declared illegal by the foregoing sections.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-405

If any marriage declared illegal by the foregoing sections shall be entered into in another jurisdiction by persons having and retaining their domicile in the District of Columbia, such marriage shall be deemed illegal, and may be decreed to be void in said District in the same manner as if it had been celebrated therein. Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-405.01

A marriage legally entered into in another jurisdiction between 2 persons of the same sex that is recognized as valid in that jurisdiction, that is not expressly prohibited by §§ 46-401.01 through 46-404, and has not been deemed illegal under § 46-405, shall be recognized as a marriage in the District.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-409

A license to marry shall not be issued until 3 days have elapsed from date of application for issuance of said license.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-410

It shall be the duty of the Clerk of the Superior Court of the District of Columbia before issuing any license to solemnize a marriage to examine any applicant for said license under oath and to ascertain the names and ages of the parties desiring to marry, and if they are under age the names of their

parents or guardians, whether they were previously married, whether they are related or not, and if so, in what degree, which facts shall appear on the face of the application, of which the Clerk shall provide a printed form, and any false swearing in regard to such matters shall be deemed perjury.

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If any person intending to marry and seeking a license therefor shall be under 18 years of age, and shall not have been previously married, the said Clerk shall not issue such license unless a parent, or, if there be neither father nor mother, the guardian, if there be such, shall consent to such proposed marriage, either personally to the Clerk, or by an instrument in writing attested by a witness and proved to the satisfaction of the Clerk.

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Licenses to perform the marriage ceremony shall be addressed to some particular minister, magistrate, or other person authorized by § 46-406 to perform or witness the marriage ceremony and shall be in the following form: Number To, authorized to celebrate (or witness) marriages in the District of Columbia, greeting: You are hereby authorized to celebrate (or witness) the rites of marriage between, of, and, of, and having done so, you are commanded to make return of the same to the Clerk's Office of the Superior Court of the District of Columbia within 10 days under a penalty of \$50 for default therein. Witness my hand and seal of said Court this day of, anno Domini Clerk. By Assistant Clerk. Said return shall be made in person or by mail on a coupon issued with said license and bearing a corresponding number therewith within 10 days from the time of said marriage, and shall be in the following form: Number I,, who have been duly authorized to celebrate (or witness) the rites of marriage in the District of Columbia, do hereby certify that, by authority of a license of corresponding number herewith, I solemnized (or witnessed) the marriage of and, named therein, on the day of, at, in said District. A 2nd coupon, of corresponding number with the license, shall be attached to and issued with said license, to be given to the contracting parties by the minister or other person to whom such license was addressed, and shall be in the following form: Number I hereby certify that on this ... day of, at, and were by (or before) me united in marriage in accordance with the license issued by the Clerk of the Superior Court of the District of Columbia. Name, Residence

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Any minister or other person, having solemnized or witnessed the rites of marriage under the authority of a license issued as aforesaid, who shall fail to make return as therein required, shall be liable to a penalty of \$50 upon conviction of said failure upon information in the Superior Court of the District of Columbia.

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The Clerk of the said Court shall provide a record book in his office, consisting of applications and licenses in blank, to be filled up by him with the names and residences of the parties for whose marriage any license may have been issued, said applications and licenses to be numbered consecutively from 1 upward, and also a record book in which shall be recorded, in the order of their numbers, the

certificates of the minister or other persons authorized, upon their return to said office, corresponding to said record book of licenses issued, and a copy of any license and certificate of marriage so kept and recorded, certified by the Clerk under his hand and seal, shall be competent evidence of the marriage.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-416

All applications for marriage licenses shall be open to inspection as public records, except as limited by § 46-416.01. All such applications upon which licenses have not yet been issued shall be kept together in a separate file readily accessible to public examination.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-416.01

(a) Each applicant for a marriage license shall record on the application each social security number assigned to the applicant. If the applicants' social security numbers are not recorded on the face of the license, the agency shall keep on file each applicant's social security number and each applicant shall be so advised. (b) The social security number shall be disclosed only: (1) For a purpose directly related to the establishment of paternity, or the establishment, modification, or enforcement of a support order; and (2) To the applicant, the other spouse, the child of the applicant or spouse, their attorneys of record, the IV-D agency, a District agency that has entered into a cooperative agreement with the IV-D agency, the IV-D agency of another state, or a private entity with which the District has contracted regarding paternity and child support services.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-418

If a judge of the Superior Court of the District of Columbia determines that public policy or the physical condition of either of the persons applying for a marriage license requires the intended marriage to be celebrated without delay, he may waive the provisions of § 46-409, and a license may be issued without regard to such sections.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-420

Any information obtained from any laboratory blood test required under § 46-417 shall be regarded as confidential by each person, agency, or committee who obtains, transmits, or receives such information.

Washington DC Code - Title 46: Domestic Relations - Subtitle 1: General - Chapter 4: Marriage § 46-421

Whoever: (1) knowingly divulges, other than in accordance with the provisions of §§ 46-416 to 46-421, any information, derived from the laboratory blood test required by § 46-417, relating to any person suffering, or suspected to be suffering from, syphilis; (2) knowingly misrepresents any fact called for by the statement required by such section, or knowingly falsifies any material fact in connection with the laboratory blood test required by such section; (3) knowingly issues a marriage license without having received the statement required under such section or an order of the Superior Court of the District of Columbia issued under § 46-418; or (4) otherwise fails to comply with any other provision of §§ 46-416 to 46-421; shall be imprisoned for not more than 6 months, or fined not more than \$250, or both. Prosecutions for violations of this section shall be conducted by the Attorney General for the District of Columbia for the District of Columbia.

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(a) For the purposes of this section, the term: (1) 'Religious' includes or pertains to a belief in a theological doctrine, a belief in and worship of a divine ruling power, a recognition of a supernatural power controlling man's destiny, or a devotion to some principle, strict fidelity or faithfulness, conscientiousness, pious affection, or attachment. (2) 'Society' means a voluntary association of individuals for religious purposes. (b) For the purpose of preserving the evidence of marriages in the District of Columbia, every minister of any religious society approved or ordained according to the ceremonies of his religious society, whether his residence is in the District of Columbia or elsewhere in the United States or the territories, may be authorized by any judge of the Superior Court of the District of Columbia to celebrate marriages in the District of Columbia. Marriages may also be performed by any judge or justice of any court of record; provided, that marriages of any religious society which does not by its own custom require the intervention of a minister for the celebration of marriages may be solemnized in the manner prescribed and practiced in any such religious society, the license in such case to be issued to, and returns to be made by, a person appointed by such religious society for that purpose. The Clerk of the Superior Court of the District of Columbia or such deputy clerks of the Court as may, in writing, be designated by the Clerk and approved by the Chief Judge, may celebrate marriages in the District of Columbia. (c) No priest, imam, rabbi, minister, or other official of any religious society who is authorized to solemnize or celebrate marriages shall be required to solemnize or celebrate any marriage. (d) Each religious society has exclusive control over its own theological doctrine, teachings, and beliefs regarding who may marry within that particular religious society's faith. (e)(1) Notwithstanding any other provision of law, a religious society, or a nonprofit organization that is operated, supervised, or controlled by or in conjunction with a religious society, shall not be required to provide services, accommodations, facilities, or goods for a purpose related to the solemnization or celebration of a marriage, or the promotion of marriage through religious programs, counseling, courses, or retreats, that is in violation of the religious society's beliefs. (2) A refusal to provide services, accommodations, facilities, or goods in accordance with this subsection shall not create any civil claim or cause of action, or result in a District action to penalize or withhold benefits from the religious society or nonprofit organization that is operated, supervised, or controlled by or in conjunction with a religious society.