

# Ohio Marriage Officiant Guide

**Marriage Officiants:** A minister, upon producing to the Secretary of State his or her credentials of being a regularly ordained or licensed minister of any religious society or congregation, shall be entitled to receive from the Secretary of State a license authorizing him/her to solemnize marriages in this state so long as he/she continues as a regular minister in such society or congregation.



*No person, except those legally authorized by the Secretary of State, shall attempt to solemnize a marriage, and no marriage shall be solemnized without the issuance of a license.*

A minister shall produce for inspection his license to solemnize marriages upon demand of any party to a marriage at which he/she officiates or proposes to officiate, or upon demand of any probate judge or other legal authority.

## PLEASE NOTE:

- You must register with the Ohio Secretary of State prior to performing marriage ceremonies.
- Your Ohio registration is active, and you are not required to re-register with the Secretary of State.
- If you fail to register** with the Secretary of State's office prior to performing the ceremony, you must contact the Probate Court where the marriage license was issued for instructions.

You may review the State of Ohio's minister registration process at <http://bit.ly/OhioOfficiant>

Confirm your registration with the Ohio Secretary of State's office at <http://tiny.cc/OhioMinSearch>

**Ministers must send the completed certificate of marriage to the probate judge of the county which issued the marriage license within 30 days after the marriage ceremony is performed.**

## MARRIAGE LICENSE INFORMATION

*Much of the information below is state law in Ohio; however, this information can vary from county to county, and is subject to change. We recommend contacting your county clerk's office before applying for your marriage license.*

**ID Requirement:** Government-issued photo ID, such as a driver's license, visa, passport or state-issued ID, must be presented. The bridal couple must also know and provide their Social Security numbers.

**Residency Requirement:** You do not have to be a resident of Ohio, but you must apply in the county in which you want to get married.

**If previously married:** Bring certified copy of divorce decree or a copy of deceased spouse's death certificate.

**Application Requirement:** Both parties to the marriage must appear in person to obtain their license.

**Proxy Marriages:** Not permitted.

**Fees:** \$40+ depending on county, *cash only*. Some counties accept money orders.

**Waiting Period:** No waiting period is required.

**Blood Tests:** No tests required.

**Under Age 21:** If you are 18 to 21 years of age, you will need to show your birth certificate. Persons aged 16-17 must have consent to marry from parents or legal guardians and may have to contact the Probate Court. Additionally, the judge may require the minors to state that they have received marriage counseling that is satisfactory to the court. Section 3101.05 of the Ohio Revised Code pertains to how the court handles situations involving a pregnant minor.

**Cousin Marriage:** Not permitted.

**Common Law Marriage:** A Common Law marriage entered into in Ohio *before* 10 October 1991, constitutes a valid, legal marriage in Ohio. After 10 October 1991, new Common Law marriages are prohibited in Ohio.

The six essential elements of a Common Law marriage in Ohio are:

- A mutual agreement of marriage *in praesenti* (presently);
- Made by persons competent to marry;
- Followed by cohabitation (including a sexual consummation of the marriage);
- A holding out to the public that the parties are actually husband and wife;
- A reputation in the community that the parties are husband and wife; and
- That the Common Law marriage was entered into before 10 October 1991.

**Same-Gender Marriage:** Permitted, following U.S. Supreme Court decision of 26 June 2015.

**Valid:** An Ohio marriage license is valid for 60 days. An Ohio marriage license can only be used within the State of Ohio.

***For additional information, please visit  
FirstNationMinistry.org/us/ohio***

*The above information is believed to be current and correct, but does not purport to be legal advice, is not all-inclusive and shall be used only as a guide. Under the terms specified in your ordination, you are solely responsible for becoming familiar with and complying to all current laws and regulations in effect within the jurisdiction in which you will conduct ceremonies.*



**Ohio Secretary of State  
Client Service Center**

180 East Broad Street, Suite 103  
Columbus, Ohio 43215

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## **Ohio Minister Licensing Law**

### **3101.8 Who May Solemnize**

An ordained or licensed minister of any religious society or congregation within this state, (state) licensed to perform marriages, a judge of a county court anywhere in the state, an authorized judge of a municipal court anywhere in the state. A probate judge in their county, the mayor of a municipal corporation in any county in which such municipal corporation wholly or partially lies, the superintendent of the state school for the deaf, or any religious society, in conformity with the rules and regulations of its church, may join together as husband and wife any persons not prohibited by law.

### **3101.09 Prohibition**

No person, except those legally authorized, shall attempt to solemnize a marriage, and no marriage shall be solemnized without the issuance of a license.

### **3101.10 License to solemnize Marriages**

A minister upon producing to the secretary of state, credentials of his being a regularly ordained or licensed minister of any religious society or congregation, shall be entitled to receive from the secretary of state a license authorizing him to solemnize marriages in this state so long as he continues as a regular minister in such society or congregation. A minister shall produce for inspection his license to solemnize marriages upon demand of any party to a marriage at which he officiates or proposes to officiate or upon demand of any probate judge.

### **Section 3 (effective June 4, 1976)**

All ministers who are licensed or authorized to solemnize marriages in any county on the effective date of this act are deemed licensed with the secretary of state as provided in sections 111.16, 3101.10, 3101.11, and 3101.12 of the Revised Code as amended by this act.



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**3101.11 Recording with the Secretary of State**

The secretary of state shall enter the name of a minister licensed to solemnize marriages upon a record kept in the office of the secretary of state.

**3101.12 Record and License as evidence of authority**

When the name of a minister licensed to solemnize marriages is entered upon the record by the secretary of state, such record and the license issued under section 3101.10 of the Revised Code shall be evidence that such minister is authorized to solemnize marriages in this state.

**3101.13 Record of Marriage**

A certificate of every marriage solemnized shall be transmitted by the authorized person solemnizing the marriage, within 30 days after the solemnization, to the probate judge of the county where the marriage license was issued. All such certificates filed with the judge, shall be consecutively numbered and recorded in the order in which they are received.

**Miscellaneous Provisions**

**3101.99 Penalties**

- (B) Whoever violates section 3101.09 of the Revised Code shall be fined five hundred dollars and imprisoned not more than six months.
- (C) Whoever violated section 3101.13 of the Revised Code shall be fined not more than fifty dollars.

**111.6 Fees to be Collected**

The secretary of state shall charge and collect, for the benefit of the state, the following fee:

- (K) for a minister's license to solemnize marriages, ten dollars.