

## **MARRIAGE REQUIREMENTS IN THE STATE OF RHODE ISLAND**

### **Rhode Island Department of Health**

Division of Vital Records 3 Capitol Hill, Room 101 Providence, RI 02908-5097 (401) 222-2812 [www.health.ri.gov](http://www.health.ri.gov)

### **GENERAL REQUIREMENTS**

#### **How To Apply for a Marriage License**

Both the bride and groom must:

- Apply for the marriage license in person and personally sign the license in the presence of the city or town clerk or his/her assistant, attesting to the truth of the information listed thereon.
- Present proof of birth facts and identification.
- If previously married, present a certified copy of the FINAL decree of divorce (with the raised or original, stamped court seal) or a certified copy of the death certificate of the previous spouse.
- If under age 18, or under control of a legal guardian, parent or legal guardian must complete a Minor's Permit to Marry. Grooms under age 18 and brides under 16 will need court permission to marry.
- For a list of city and town offices, use the HEALTH web site [www.health.ri.gov](http://www.health.ri.gov)

**Please note:** If the bride and groom do not marry, the marriage license should be returned to the city or town office where the license was issued.

### **SPECIFIC REQUIREMENTS**

#### **Where To Apply for a Marriage License Residents of RI**

- If the bride lives in Rhode Island, apply for the license from the city/town clerk at the city/town of the bride's residence.
- If the bride does not live in Rhode Island but the groom does live in Rhode Island, apply for the license from the city/town clerk at the city/town of the groom's residence

When either the bride or the groom is a resident of Rhode Island, the marriage license is valid in any city or town in Rhode Island; the couple may be married anywhere in Rhode Island.

#### **NON-Residents of RI**

- If **BOTH** the bride and groom do **NOT** live in Rhode Island, the marriage license must be obtained at the city or town clerk's office **WHERE THE CEREMONY WILL TAKE PLACE**, because Rhode Island law states that the marriage license is valid only in the city or town in which it was issued (Items 15c & 15d) if neither the bride nor groom is a RI resident.
- If the marriage ceremony is performed in a city or town other than the city or town of issuance, the validity of the marriage may be in question. Cost of the Marriage License \$24.00

#### **Who Is Allowed to Correct Information on the Marriage License**

- Only the State Office of Vital Records
- If any information is in error, the bride or groom should contact the State Office at

401-222-2812 after the marriage license has been registered.

#### **Responsibilities of the Bride and Groom**

Both the bride and groom must supply:

##### **1. Proof of Birth Facts and Identification**

- Proof of birth facts, preferably a long-form certified copy of birth certificate. A valid passport or alien card may be accepted for persons born outside the United States who cannot obtain a birth record in their country of birth.
- Additional requirements may exist in some locations. For example, some offices also may require a valid government-issued picture ID, e.g., a driver's license or passport, as well as a certified copy of a birth certificate.
- Contact the city or town office where you will apply for the license to verify the requirements and the hours of operation. A list of city and town offices with phone numbers may be located on the HEALTH website at [www.health.ri.gov](http://www.health.ri.gov) under Vital Records.

##### **2. Proof That Previous Marriages Have Ended.**

- If either applicant has been previously married and the previous marriage ended in divorce, such applicant must present a certified copy of the FINAL decree of divorce (with the raised or original, stamped court seal) to the city or town clerk.
- If either applicant has been previously married and the previous marriage ended in death, a certified copy of the death record must be presented to the city or town clerk.

##### **3. Permit to Marry for Minors and Persons Under Legal Guardianship**

- A Permit to Marry (VS 10) must be completed if a female applicant is 16 or 17 years of age or the bride/groom (regardless of age) is under control of a legal guardian. The permit should be signed and notarized in the presence of the city or town clerk, or any clerk employed in that office. If this is not possible, please contact the Division of Vital Records for instructions.
- A female under age 16 and a male under 18 cannot secure a marriage license in Rhode Island without the approval of Family Court.

##### **4. Accurate information**

Any person who willfully and knowingly supplies false information intending that the information be used in the preparation of a marriage license shall be punished by a fine of not more than \$1,000 or imprisoned not more than one year, or both, pursuant to Section 23-3-28 of the RI General Laws.

##### **When and Where the Ceremony Should Occur**

- The license is valid for three (3) months beginning with the date in Item 15a and ending with the date in Item 15b on the marriage license. The ceremony must occur during that three-month period.
- Item 15c

on the marriage license lists the location where the marriage license is valid.

#### **Who May Be Witnesses at the Ceremony**

- In addition to the officiant, the solemnization of marriage shall be in the presence of at least two (2) witnesses who have reached the age of legal majority (18 years of age).
- If the honor attendants are less than 18 years of age, any other persons who have reached the age of legal majority and who were present at the ceremony may sign as witnesses.

#### **Who May Perform the Ceremony General Laws of Rhode Island § 15-3-5: Officials empowered to join persons in marriage.**

Every ordained clergy or elder in good standing, every justice of the supreme court, superior court, family court, workers' compensation court, district court or administrative adjudication court, the clerk of the supreme court, every clerk or general chief clerk of a superior court, family court, district court, or administrative adjudication court, magistrates, special or general magistrates of the superior court, family court or district court, administrators of the workers' compensation court, every former justice or judge and former administrator of these courts and every former chief clerk of the district court, and every former clerk or general chief clerk of a superior court may join persons in marriage in any town in this state; and every justice and every former justice of the municipal courts of the cities and towns in this state and of the police court of the town of Johnston and every probate judge may join persons in marriage in any city or town in this state, and wardens of the town of New Shoreham may join persons in marriage in New Shoreham.

#### **Responsibilities of the Officiant**

- Perform the ceremony
- Obtain the signatures of the witnesses, and complete the Items 16a-16g on the license in black ink. No liquid correction fluid may be used.
- Register the marriage record within 72 hours at the Rhode Island city/town clerk office where the license was issued (Item 15D).

#### **How and When To Obtain Certified Copies of the Marriage Record**

- Complete an application at one of the following locations
- The city or town clerk's office where the license was issued and where it is first available
- The State Office of Vital Records within a month of the ceremony
- The city or town where the ceremony took place (or the bride's or groom's Rhode Island residence, if different from the city/town of issuance) within two months of the ceremony
- Pay the fee of \$15.00 for one copy and \$10.00 for additional copies obtained at the same time VS134 (Rev. Feb. 21, 2006) MarrReq02/2006