

Marriage and Civil Union by Proxy for Members of the Military

This Act authorizes marriage and civil union by proxy for people whose military service in a war or conflict prevents them from appearing in person to obtain the marriage or civil union license and participate in the ceremony.

Submitted as:

New Jersey

[Chapter 179](#)

Status: Enacted into law in 2012.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title*.] This Act shall be cited as “An Act Authorizing Marriage and Civil
2 Unions by Proxy Under Certain Conditions.”

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4 Section 2. [*Entry into Marriage or Civil Union by Proxy under Certain Conditions*.] A
5 member of the Armed Forces of the United States or the National Guard who is stationed overseas
6 and serving in a conflict or a war and is unable to appear for the licensure and solemnization of their
7 marriage or civil union as required by [insert citation] may enter into that marriage or civil union by
8 the appearance of an attorney-in-fact, commissioned and empowered in writing for that purpose
9 through a power of attorney. The attorney-in-fact must personally appear before the licensing officer
10 with the person who is not serving overseas, and present the original power of attorney duly signed
11 by the party stationed overseas and acknowledged by a notary or witnessed by two officers of the
12 United States Armed Forces or the National Guard. The power of attorney shall state the legal names
13 of the parties to be married or enter into a civil union, and shall state that the power of attorney is
14 solely for the purpose of authorizing the attorney-in-fact to obtain a marriage or civil union license
15 on the person's behalf and to participate in the solemnization of the marriage or civil union. The
16 original power of attorney shall be a part of the marriage or civil union certificate upon registration.

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18 Section 3. [*Severability*.] [Insert severability clause.]

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20 Section 4. [*Repealer*.] [Insert repealer clause.]

21
22 Section 5. [*Effective Date*.] [Insert effective date.]