

## **MINISTER OR OTHER PERSON AUTHORIZED TO SOLEMNIZE MARRIAGES FAQs**

### **Is there a fee for processing an Application for Authority to Solemnize Marriages?**

No. However, the 2009 Legislature enacted Senate Bill 130 which makes changes to the provisions of Nevada Revised Statutes (NRS), Chapter 122, relative to the licensing of ministers to solemnize marriages. This Bill will take effect July 1, 2009. In order to comply with the provisions of NRS 122.064 3(c) , we are going to commence doing background checks on all applicants, with the exception of the temporary out-of-state minister applicants and U. S. Armed Forces chaplain applicants. **There is a \$45 fee for the background check, which fee goes to the third party vendor conducting the investigation.** Details regarding payment of these fees are included in the application instructions.

### **Where do I send the application?**

Send it to Elko County Clerk's Office, Elko , NV 89801-3715.

### **How long does it take to process the application and for the certificate to be issued?**

**The background checks will be completed by a third party vendor within approximately 7 business days and the report will be forwarded to the County Clerk. After receipt of the report, the County Clerk will review all documents.** If everything is in order, the certificate should be completed within 5 – 7 business days after receipt of the background check report. It will be mailed to the home address of the applicant the same day the application is approved. If there is a problem with the paperwork, there will be a delay in issuing the certificate until any and all issues are resolved.

### **Can the certificate be picked up or mailed to a different address from the one on the application?**

Yes. Arrangements may be made to have the certificate held in the Marriage Bureau for pick up at Window 1 by a person you designate to do so. Normal business hours for the Marriage Bureau are from 8:00 a.m. until midnight every day, including weekends and holidays. Special instructions for distribution of the certificate should be made by the applicant in writing. We will not express mail certificates unless a self-addressed, pre-paid express mail envelope is provided with your application package.

### **What if I change church or religious organization or if my church or religious organization moves to a new location?**

Address changes for church or religious organization or the minister's home address require completion of a *Change of Address* form. Please notify us of address changes on the appropriate form and return it to the address listed above in paragraph 2. Certificate holders will have to reapply if they change to a new church or religious organization. [Applications](#) may be obtained on line.

### **How do I change my current certificate to Retired Status?**

Certificate holders will have to reapply if they change to Retired Status. There is a separate application for a [Retired Status Certificate](#). Note: The applicant must have had active charge of a church or religious organization for a period of three years or more of continuous service in order to qualify.

### **How does a minister or other person authorized to solemnize marriages get removed from the database if he/she is deceased, has moved, is no longer serving a church or religious organization or is no longer authorized to solemnize marriages through their church or religious organization?**

Removal of a minister or other person authorized to solemnize marriages is implemented by the completion of an *Affidavit for Revocation of Authority to Solemnize Marriages*, to be completed by someone authorized to speak on behalf of the church or religious organization. We will also accept a letter from the minister or other person authorized to solemnize marriages if he or she voluntarily advises us.

### **If I belong to a church or religious organization that was just started and I am the senior pastor or President of the Board, who can complete the *Affidavit of Authority to Solemnize Marriages* on my behalf.**

NRS 122 provides that the forms be signed by an individual authorized to speak on behalf of your church or religious organization. It could be someone such as a member of the board, an officer of the organization, or someone else within your organization who has authority to speak for your church or religious organization. You cannot sign on your own behalf.

### **How long are the certificates valid?**

According to NRS 122.066, certificates are valid until:

- (a) The county clerk has received an *Affidavit of Revocation of Authority to Solemnize Marriages* stating that the minister or other person authorized to solemnize marriages from the church or religious organization is no longer authorized to solemnize marriages for the church or religious organization;
- (b) The county clerk has received a written statement that the minister to whom a certificate of permission was granted is no longer a minister;

(c) The county clerk has reason to believe that the minister or other person authorized to solemnize marriages is no longer in good standing within his church or religious organization, or that he is no longer a minister or other person authorized to solemnize marriages, or that such church or religious organization no longer exists. The clerk may require satisfactory proof of the good standing of such minister or other person authorized to solemnize marriages. If such proof is not presented within 15 days, the county clerk shall revoke the *Certificate of Authority to Solemnize Marriages*; and

(d) If any minister to whom a *Certificate of Authority to Solemnize Marriages* has been issued severs ties with his congregation or moves from the county in which his certificate was issued, the certificate shall expire immediately upon such severance or move and the church or religious organization shall, within 5 days after the severance or move, file an *Affidavit of Revocation of Authority to Solemnize Marriages*. If the minister or other person authorized to solemnize marriages voluntarily advises the county clerk of the severance with his church or religious organization, or that he has moved from the county, the certificate shall expire immediately upon such severance or move without any notification to the county clerk by the church or religious organization.

Authorization for an out-of-state *Temporary Certificate of Authority to Perform Marriages* is good for one specific ceremony and such minister or other person authorized to solemnize marriages must obtain a separate authorization for each marriage performed and may perform not more than five marriages in this State in any calendar year.

**Are faxed copies of the paperwork acceptable?**

We are not able to accept faxed copies of any of the forms. We must have the originals.

**The wedding is to take place within a few days. Is it possible to obtain the *Certificate of Authority to Solemnize Marriages* in time to perform the wedding?**

It is recommended that applicants submit their paperwork at least 6 to 8 weeks in advance of the wedding for local ministers and other persons authorized to solemnize marriages and 4 to 6 weeks in advance for applicants from out of state applying for a *Temporary Certificate of Authority to Solemnize Marriages*, in case there are delays for corrections to the paperwork or in the case of a local minister to allow time for the background check. Therefore, if the applications are not received timely, there is a good chance that your application will not be acted upon prior to your intended ceremony.

**I am a licensed, ordained or appointed minister or other person authorized to solemnize marriages in another state; may I perform a wedding ceremony in Nevada?**

NRS 122.062 states that ministers or other persons authorized to solemnize marriages are to obtain a *Certificate of Authority to Solemnize Marriages* in the State of Nevada from the County Clerk prior to performing ceremonies, and that a minister or other person authorized to solemnize marriages whose church or religious organization is in another

state may be authorized to perform marriages in the county if he is in good standing with his church or religious organization. The authorization must be in writing and a separate authorization is required for each marriage performed. Such a minister or other person authorized to solemnize marriages may perform not more than five marriages in this state in any calendar year. You may apply by obtaining a [Temporary Certificate of Authority to Solemnize Marriages](#).

**I am a judge in another state; may I obtain authorization to perform a ceremony in Nevada?**

There is no provision in the statutes that allows for an out-of-state judge to perform a marriage.

**How do I become a minister or other person authorized to solemnize marriages?**

Our office does not instruct individuals on how to become a minister or other person authorized to solemnize marriages. Each of the various churches and/or religious organizations has their own standards and requirements. Our office is only involved with authority to solemnize marriages.

If you have any other questions regarding *Certificates of Authority to Solemnize Marriages* in the State of Nevada, you may e-mail us at [clerk@elkocountynv.net](mailto:clerk@elkocountynv.net)