

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Marriage and Dissolution of  
5 Marriage Act is amended by changing Section 209 as follows:

6 (750 ILCS 5/209) (from Ch. 40, par. 209)

7 Sec. 209. Solemnization and registration.

8 (a) A marriage may be solemnized either by an officiant as  
9 provided in paragraphs (1) through (7) or by both parties to  
10 the marriage acting without an officiant, provided that the  
11 parties have complied with the requirements in Section 203 of  
12 this Act. A marriage by officiant may be solemnized:

13 (1) by a judge of a court of record;  $\tau$

14 (2) by a retired judge of a court of record, unless the  
15 retired judge was removed from office by the Judicial  
16 Inquiry Board, except that a retired judge shall not  
17 receive any compensation from the State, a county or any  
18 unit of local government in return for the solemnization  
19 of a marriage and there shall be no effect upon any pension  
20 benefits conferred by the Judges Retirement System of  
21 Illinois;  $\tau$

22 (3) by a judge of the Court of Claims;  $\tau$

23 (4) by a county clerk in counties having 2,000,000 or

1 more inhabitants; τ

2 (5) by a public official whose powers include  
3 solemnization of marriages; τ

4 (6) by a mayor or president of a city, village, or  
5 incorporated town who is in office on the date of the  
6 solemnization except that a mayor or president of a city,  
7 village, or incorporated town may not receive any  
8 compensation in return for the solemnization of a  
9 marriage; or τ

10 (7) or in accordance with the prescriptions of any  
11 religious denomination, Indian Nation or Tribe or Native  
12 Group, provided that when such prescriptions require an  
13 officiant, the officiant be in good standing with his or  
14 her religious denomination, Indian Nation or Tribe or  
15 Native Group.

16 Either the officiant ~~person~~ solemnizing the marriage or  
17 both parties to the marriage self-solemnizing the marriage τ  
18 ~~or, if no individual acting alone solemnized the marriage,~~  
19 ~~both parties to the marriage,~~ shall sign and complete the  
20 marriage certificate form and forward it to the county clerk  
21 within 10 days after such marriage is solemnized. On or before  
22 January 1, 2026, all State and county forms, websites, and  
23 other public communications, including, but not limited to,  
24 the "Marriage Application and Record", shall be updated to  
25 reflect and clarify the existence of both officiant  
26 solemnization and self-solemnization options for marriage

1 solemnization. ~~A mayor or president of a city, village, or~~  
2 ~~incorporated town shall not receive any compensation in return~~  
3 ~~for the solemnization of a marriage.~~

4 (a-5) Nothing in this Act shall be construed to require  
5 any religious denomination or Indian Nation or Tribe or Native  
6 Group, or any minister, clergy, or officiant acting as a  
7 representative of a religious denomination or Indian Nation or  
8 Tribe or Native Group, to solemnize any marriage. Instead, any  
9 religious denomination or Indian Nation or Tribe or Native  
10 Group, or any minister, clergy, or officiant acting as a  
11 representative of a religious denomination or Indian Nation or  
12 Tribe or Native Group is free to choose which marriages it will  
13 solemnize. Notwithstanding any other law to the contrary, a  
14 refusal by a religious denomination or Indian Nation or Tribe  
15 or Native Group, or any minister, clergy, or officiant acting  
16 as a representative of a religious denomination or Indian  
17 Nation or Tribe or Native Group to solemnize any marriage  
18 under this Act shall not create or be the basis for any civil,  
19 administrative, or criminal penalty, claim, or cause of  
20 action.

21 (a-10) No church, mosque, synagogue, temple,  
22 nondenominational ministry, interdenominational or ecumenical  
23 organization, mission organization, or other organization  
24 whose principal purpose is the study, practice, or advancement  
25 of religion is required to provide religious facilities for  
26 the solemnization ceremony or celebration associated with the

1 solemnization ceremony of a marriage if the solemnization  
2 ceremony or celebration associated with the solemnization  
3 ceremony is in violation of its religious beliefs. An entity  
4 identified in this subsection (a-10) shall be immune from any  
5 civil, administrative, criminal penalty, claim, or cause of  
6 action based on its refusal to provide religious facilities  
7 for the solemnization ceremony or celebration associated with  
8 the solemnization ceremony of a marriage if the solemnization  
9 ceremony or celebration associated with the solemnization  
10 ceremony is in violation of its religious beliefs. As used in  
11 this subsection (a-10), "religious facilities" means  
12 sanctuaries, parish halls, fellowship halls, and similar  
13 facilities. "Religious facilities" does not include facilities  
14 such as businesses, health care facilities, educational  
15 facilities, or social service agencies.

16 (b) The solemnization of the marriage is not invalidated:  
17 (1) by the fact that the person solemnizing the marriage was  
18 not legally qualified to solemnize it, if a reasonable person  
19 would believe the person solemnizing the marriage to be so  
20 qualified; or (2) by the fact that the marriage was  
21 inadvertently solemnized in a county in Illinois other than  
22 the county where the license was issued and filed.

23 (c) Any marriage that meets the requirements of this  
24 Section shall be presumed valid.

25 (Source: P.A. 101-14, eff. 6-14-19.)