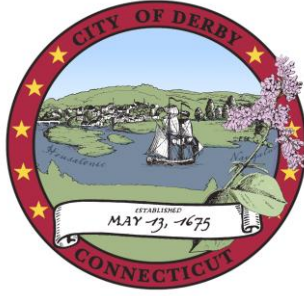


# City of Derby, Connecticut

*One Elizabeth Street - 06418*



Marc J. Garofalo, MPA, MMC, MCTC  
Town / City Clerk

[vitals@derbyct.gov](mailto:vitals@derbyct.gov)

Telephone (203) 736-1462 Ext. 0  
Fax (203) 736-1479

## Instructions to Obtain a Marriage License

### **\*\*For Persons Who Are Getting Married in the City of Derby\*\***

- LOCATION:** The marriage license must be obtained in the city/town where the marriage ceremony will take place. Therefore, our marriage license is only valid if the ceremony is taking place somewhere in Derby.
- DATE:** Marriage Licenses are only valid for 65 days from the date of issue. You can obtain your license at any time 65 days prior and up to the day of the ceremony. It is recommended you have a date set prior to obtaining your marriage license. Should your license expire, a new one will need to be issued.
- OFFICIATOR:** Judges, Justices of the Peace who are currently appointed anywhere in the State of Connecticut, and any Ordained or Licensed members of the clergy are eligible to perform marriages in Connecticut (including persons who have been ordained through online ministries and who are given the authority to officiate marriages through such ministries). A list of current Justices of the Peace who are located in Derby is available on our website (<https://www.derbyct.gov/certificate-fees>). For online ordained ministers, a copy of their "Credentials of Ministry" must also be submitted with your application.
- APPLICATION:** Both parties must complete the attached "Marriage License Worksheet" as accurately as possible. The information provided will be permanently recorded on your marriage certificate and must be an accurate reflection of the facts as you know them. Please do not leave any boxes blank. If any information is unobtainable or unknown, write "unknown" or draw a line in the corresponding box. If filling out the form online, please download and save to your computer first so your information will be saved, then reattach to an email when submitting.
- IDENTIFICATION:** Both parties must provide a copy or photo of the FRONT AND BACK of both of your current, valid Driver's Licenses (any state). If you do not currently have a valid Driver's License, a government issued photo ID or passport must be provided.
- FEES:** The fee for a marriage license is \$50.00. Payment can be made by Cash at the time of pick up, Money Order, or Credit Card (personal checks are not accepted). If you would also like to order a certified copy of your Marriage Certificate (issued after it is returned to our office following the ceremony), you can prepay for that as well and we will mail you your certified copy upon receipt. A completed "Application for A Copy of Marriage Certificate" must also be completed and an additional fee of \$20.00 is required. A marriage license and certified copy can be paid for at the same time for a total of \$70.00. *Please note that if you are paying by credit card, an additional \$2.00 processing fee will apply.*

7. **SUBMIT:** Once completed, all necessary documentation can be submitted to our office by:

Email: [vitals@derbyct.gov](mailto:vitals@derbyct.gov)

Regular Mail: Marriage License Application  
Marc J. Garofalo, Derby Town Clerk  
1 Elizabeth Street  
Derby, CT 06418

Fax: (203) 736-1479

8. **DELIVERY:** We will e-mail you a DRAFT copy of your Marriage License for final review. Once accepted, we will issue your official Marriage License and **set up an appointment** when **both** you and your fiancé must appear **in-person** with your identification to take an oath and sign it. You will then give the original to your officiant prior to the ceremony. It is the responsibility of the Officiant to return the signed original license to us to accept into permanent record, at which time we will issue any certified copies if requested.

Please feel free to contact our office during regular business hours should you have any questions or need any further assistance.

***Congratulations!***

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
CITY OF DERBY - MARRIAGE LICENSE WORKSHEET**

Office Use Only:  
DATE ISSUED \_\_\_\_\_  
DATE RETURNED \_\_\_\_\_  
COPIES MAILED/PU \_\_\_\_\_

DATE OF APPLICATION \_\_\_\_\_

DATE OF MARRIAGE \_\_\_\_\_

LOCATION OF CEREMONY \_\_\_\_\_

**SPOUSE ONE**

**SPOUSE TWO**

NAME (First) _____ (Middle) _____ (Last) _____				NAME (First) _____ (Middle) _____ (Last) _____			
SEX	DATE OF BIRTH (Mo., Day, Year)	AGE	(If Minor, Probate Judge Permission is Required)	SEX	DATE OF BIRTH (Mo., Day, Year)	AGE	(If Minor, Probate Judge Permission is Required)
BIRTHPLACE (State or Foreign Country)		EDUCATION (No. Yrs. Completed)		BIRTHPLACE (State or Foreign Country)		EDUCATION (No. Yrs. Completed)	
		GRADES COMPLETED	YRS OF COLLEGE			GRADES COMPLETED	YRS OF COLLEGE
		1 2 3 4 5 6 7 8 9 10 11 12				1 2 3 4 5 6 7 8 9 10 11 12	
RESIDENCE (No. and Street)				RESIDENCE (No. and Street)			
CITY OR TOWN	COUNTY	STATE		CITY OR TOWN	COUNTY	STATE	
SUPERVISION OR CONTROL BY GUARDIAN OR CONSERVATOR YES                      NO				SUPERVISION OR CONTROL BY GUARDIAN OR CONSERVATOR YES                      NO			
FATHER / PARENT FULL NAME (LAST NAME PRIOR TO FIRST MARRIAGE)				FATHER / PARENT FULL NAME (LAST NAME PRIOR TO FIRST MARRIAGE)			
MOTHER / PARENT FULL NAME (LAST NAME PRIOR TO FIRST MARRIAGE)				MOTHER / PARENT FULL NAME (LAST NAME PRIOR TO FIRST MARRIAGE)			
FATHER / PARENT BIRTHPLACE (State or Foreign Country)		MOTHER / PARENT BIRTHPLACE (State or Foreign Country)		FATHER / PARENT BIRTHPLACE (State or Foreign Country)		MOTHER / PARENT BIRTHPLACE (State or Foreign Country)	
NO. OF THIS MARRIAGE		NO. OF SAME SEX CIVIL UNIONS		NO. OF THIS MARRIAGE		NO. OF SAME SEX CIVIL UNIONS	
IF PREVIOUSLY IN MARRIAGE OR CIVIL UNION, LAST RELATIONSHIP WAS:                      MARRIAGE                      SAME SEX CIVIL UNION				IF PREVIOUSLY IN MARRIAGE OR CIVIL UNION, LAST RELATIONSHIP WAS:                      MARRIAGE                      SAME SEX CIVIL UNION			
LAST RELATIONSHIP ENDED BY:                      DEATH                      DISSOLUTION                      ANNULMENT PREVIOUS CIVIL UNION DID NOT END. MARRYING CIVIL UNION PARTNER.				LAST RELATIONSHIP ENDED BY:                      DEATH                      DISSOLUTION <input type="checkbox"/> ANNULMENT PREVIOUS CIVIL UNION DID NOT END. MARRYING CIVIL UNION PARTNER.			
SOCIAL SECURITY # (### - ## - #####)				SOCIAL SECURITY # (### - ## - #####)			
CONTACT PHONE NUMBER				CONTACT PHONE NUMBER			

<b>OFFICIATOR INFORMATION</b>		OFFICIAL CAPACITY (CLERGY / JUSTICE OF THE PEACE)	NAME OF CHURCH OR CITY/TOWN OF APPOINTMENT
NAME			
PHONE NUMBER			
ADDRESS			

License Fee \$50

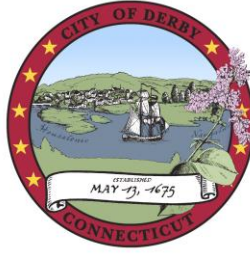
Certified Copy Fee \$20

Number of Copies Requested \_\_\_\_\_ Paid \_\_\_\_\_ To be Mailed \_\_\_\_\_ or Picked up \_\_\_\_\_

Mail to Address \_\_\_\_\_

# City of Derby, Connecticut

One Elizabeth Street - 06418



Marc J. Garofalo, MPA, MMC, MCTC  
Town / City Clerk

vitals@derbyct.gov

Telephone - 203.736.1462 Ext. 0  
FAX - 203.736.1479

## Credit Card Authorization Form

### CARDHOLDER INFORMATION

Name: \_\_\_\_\_

Billing Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Country: \_\_\_\_\_ Email \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

I authorize a one-time charge against my credit card for the following amount:

\$ \_\_\_\_\_ **\$50.00** Marriage License Issuance

\$ \_\_\_\_\_ **\$20.00** Certified Copy of Marriage Certificate

\$ \_\_\_\_\_ **\$1.00** USPS First Class Mail (Postage)

\$ \_\_\_\_\_ **\$2.00** Credit Card Processing Fee (2.5% over \$80.00)

\$ \_\_\_\_\_ **TOTAL CHARGE**

### CREDIT CARD INFORMATION

Credit Card Type:  MasterCard  Visa  American Express  Discover Card

Number: \_\_\_\_\_

Expiration Month: \_\_\_\_\_ Expiration Year: \_\_\_\_\_

Cardholder Signature \_\_\_\_\_ Date \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Security Code: \_\_\_\_\_

**Sec. 46b-35a. Refusal to provide services or accommodations related to the solemnization or celebration of a marriage on religious grounds.** Notwithstanding any other provision of law, a religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, shall not be required to provide services, accommodations, advantages, facilities, goods or privileges to an individual if the request for such services, accommodations, advantages, facilities, goods or privileges is related to the solemnization of a marriage or celebration of a marriage and such solemnization or celebration is in violation of their religious beliefs and faith. Any refusal to provide services, accommodations, advantages, facilities, goods or privileges in accordance with this section shall not create any civil claim or cause of action or result in any state action to penalize or withhold benefits from such religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society.

**Sec. 46b-35b. Effect of marriage equality law on provision of adoption, foster care or social services by religious organization.** Nothing in public act 09-13\* shall be deemed or construed to affect the manner in which a religious organization may provide adoption, foster care or social services if such religious organization does not receive state or federal funds for that specific program or purpose.

**Sec. 46b-38qq. Merger of civil union into marriage by action of the parties.** (a) On and after April 23, 2009, and prior to October 1, 2010, two persons who are parties to a civil union entered into pursuant to sections 46b-38aa to 46b-38oo, inclusive, may apply for and be issued a marriage license, provided such persons are otherwise eligible to marry under chapter 815e and the parties to the marriage will be the same as the parties to the civil union.

(b) After the celebration of such marriage and upon the recording of the license certificate or notarized affidavit with the registrar of vital statistics of the town where the marriage took place pursuant to section 46b-34, the civil union of such persons shall be merged into the marriage by operation of law as of the date of the marriage stated in the certificate or affidavit.

**Sec. 46b-38rr. Merger of civil union into marriage by default. Exception.** (a) Two persons who are parties to a civil union established pursuant to sections 46b-38aa to 46b-38oo, inclusive, that has not been dissolved or annulled by the parties or merged into a marriage by operation of law under section 46b-38qq as of October 1, 2010, shall be deemed to be married under chapter 815e on said date and such civil union shall be merged into such marriage by operation of law on said date.

(b) Notwithstanding the provisions of subsection (a) of this section, the parties to a civil union with respect to which a proceeding for dissolution, annulment or legal separation is pending on October 1, 2010, shall not be deemed to be married on said date and such civil union shall not be merged into such marriage by operation of law but shall continue to be governed by the provisions of the general statutes applicable to civil unions in effect prior to October 1, 2010.



State of Connecticut  
Department of Public Health  
410 Capitol Avenue  
Hartford, Connecticut 06134



**MARRIAGE LICENSE LAWS  
OF CONNECTICUT**

**Sections 46b-20 to 46b-35b, inclusive,  
& Sections 46b-38qq to 46b-38rr of the Connecticut General Statutes**

#### **Section 46b-20. Definitions.**

As used in this chapter:

- (1) "Registrar" means the registrar of vital statistics;
- (2) "Applicant" means applicant for a marriage license;
- (3) "License" means marriage license; and
- (4) "Marriage" means the legal union of two persons.

**Sec. 46b-20a. Eligibility to marry.** A person is eligible to marry if such person is:

- (1) Not a party to another marriage, or a relationship that provides substantially the same rights, benefits and responsibilities as a marriage, entered into in this state or another state or jurisdiction, unless the parties to the marriage will be the same as the parties to such other relationship;
- (2) At least eighteen years of age;
- (3) Except as provided in section 46b-29, not under the supervision or control of a conservator; and
- (4) Not prohibited from entering into a marriage pursuant to section 46b-21.

**Sec. 46b-21. (Formerly Sec. 46-1). Marriage of persons related by consanguinity or affinity prohibited.** No person may marry such person's parent, grandparent, child, grandchild, sibling, parent's sibling, sibling's child, stepparent or stepchild. Any marriage within these degrees is void.

**Sec. 46b-22. (Formerly Sec. 46-3). Who may join persons in marriage. Penalty for unauthorized performance.** (a) Persons authorized to solemnize marriages in this state include (1) all judges and retired judges, either elected or appointed, including federal judges and judges of other states who may legally join persons in marriage in their jurisdictions, (2) family support magistrates, family support referees, state referees and justices of the peace who are appointed in Connecticut, and (3) all ordained or licensed members of the clergy, belonging to this state or any other state. All marriages solemnized according to the forms and usages of any religious denomination in this state, including marriages witnessed by a duly constituted Spiritual Assembly of the Baha'is, are valid. All marriages attempted to be celebrated by any other person are void.

(b) No public official legally authorized to issue marriage licenses may join persons in marriage under authority of a license issued by himself, or his assistant or deputy; nor may any such assistant or deputy join persons in marriage under authority of a license issued by such public official.

(c) Any person violating any provision of this section shall be fined not more than fifty dollars.

**Sec. 46b-22a. Validation of marriages performed by unauthorized justice of the peace or family support referee.**

(a) All marriages celebrated before June 6, 2014, otherwise valid except that the justice of the peace joining such persons in marriage did not have a valid certificate of qualification, are validated, provided the justice of the peace who joined such persons in marriage represented himself or herself to be a duly qualified justice of the peace and such persons reasonably relied upon such representation.

(b) All marriages celebrated before June 24, 2015, otherwise valid except that the family support referee joining such persons in marriage did not have explicit statutory authority to solemnize marriages in this state, are validated, provided the family support referee who joined such persons in marriage represented himself or herself to be a duly qualified family support referee and such persons reasonably relied upon such representation.

**Sec. 46b-22b. Refusal to solemnize or participate in ceremony solemnizing a marriage on religious grounds.** (a) No member of the clergy authorized to join persons in marriage pursuant to section 46b-22 shall be required to solemnize any marriage in violation of his or her right to the free exercise of religion guaranteed by the first amendment to the United States Constitution or section 3 of article first of the Constitution of the state.

(b) No church or qualified church-controlled organization, as defined in 26 USC 3121, shall be required to participate in a ceremony solemnizing a marriage in violation of the religious beliefs of that church or qualified church-controlled organization.

**Sec. 46b-23. Joining persons in marriage knowingly without authority.** Any person who undertakes to join persons in marriage, knowing that he is not authorized to do so, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

**Sec. 46b-24. License. Period of validity. Penalty for solemnization without license. Validity of marriage ceremony.** (a) Except as provided in section 46b-28a, no persons may be joined in marriage in this state until both have complied with the provisions of this section, sections 46b-20a, 46b-25 and 46b-29 to 46b-33, inclusive, and have been issued a license by the registrar for the town in which the marriage is to be celebrated, which license shall bear the certification of the registrar that the persons named therein have complied with the provisions of said sections.

(b) Such license, when certified by the registrar, is sufficient authority for any person authorized to perform a marriage ceremony in this state to join such persons in marriage, provided the ceremony is performed within a period of not more than sixty-five days after the date of application.

(c) Anyone who joins any persons in marriage without having received such license from them shall be fined not more than one hundred dollars.

(d) Except as otherwise provided in this chapter, in order to be valid in this state, a marriage ceremony shall be conducted by and in the physical presence of a person who is authorized to solemnize marriages.

**Sec. 46b-24a. Validation of marriages occurring in town other than town where license issued.** All marriages celebrated before June 6, 2014, otherwise valid except that the license for any such marriage was issued in a town other than the town in this state in which such marriage was celebrated, or where either party to the marriage resided at the time of the marriage license application, are validated.

**Sec. 46b-25. Application for license.** No license may be issued by the registrar until both persons have appeared before the registrar and made application for a license. The registrar shall issue a license to any two persons eligible to marry under this chapter. The license shall be completed in its entirety, dated, signed and sworn to by each applicant and shall state each applicant's name, age, birthplace, residence, whether single, widowed or divorced and whether under the supervision or control of a conservator or guardian. The Social Security numbers of both persons shall be recorded in the "administrative purposes" section of the license. If the license is signed and sworn to by the applicants on different dates, the later date shall be deemed the date of application.

**Sec. 46b-28. Validity of marriages celebrated in a foreign country.** All marriages in which one or both parties are citizens of this state, celebrated in a foreign country, shall be valid, provided: (1) Each party would have legal capacity to contract such marriage in this state and the marriage is celebrated in conformity with the law of that country; or (2) the marriage is celebrated, in the presence of the ambassador or minister to that country from the United States or in the presence of a consular officer of the United States accredited to such country, at a place within his consular jurisdiction, by any ordained or licensed clergyman engaged in the work of the ministry in any state of the United States or in any foreign country.

**Sec. 46b-28a. Recognition of marriages and other relationships entered into in another state or jurisdiction.** A marriage, or a relationship that provides substantially the same rights, benefits and responsibilities as a marriage, between two persons entered into in another state or jurisdiction and recognized as valid by such other state or jurisdiction shall be recognized as a valid marriage in this state, provided such marriage or relationship is not expressly prohibited by statute in this state. For purposes of this section, "another jurisdiction" includes, but is not limited to, the Mashantucket Pequot reservation and the Mohegan reservation. The requirements set forth in section 46b-24 shall not apply to a person entering into a marriage on either of said reservations.

**Sec. 46b-28b. Recognition by another state or jurisdiction of marriages entered into in this state.** A marriage between two persons entered into in this state and recognized as valid in this state may be recognized as a marriage, or a relationship that provides substantially the same rights, benefits and responsibilities as a marriage, in another state or jurisdiction if one or both persons travel to or reside in such other state or jurisdiction.

**Sec. 46b-28c. Prior divorce in another state or country. Validity of marriage in this state.** No marriage shall be presumed to be invalid or bigamous because a prior divorce of one of the parties that was entered legally in another state or country does not meet the jurisdictional requirements of the law of this state.

**Sec. 46b-28d. Recognition of marriages entered into at Mashantucket Pequot reservation or Mohegan reservation.** All marriages celebrated before May 27, 2016, under a tribal marriage license at the Mashantucket Pequot reservation or Mohegan reservation are recognized as a valid marriage in this state, provided the marriage is recognized under the laws of the Mashantucket Pequot Tribal Nation or the Mohegan Tribe of Indians of Connecticut and not otherwise expressly prohibited by statute in this state.

**Sec. 46b-29. Marriage of persons under conservatorship.** (a) No marriage license may be issued to any applicant under the supervision or control of a conservator, appointed in accordance with sections 45a-644 to 45a-662, inclusive, unless the written consent of the conservator, signed and acknowledged before a person authorized to take acknowledgments of conveyances under the provisions of section 47-5a, or authorized to take acknowledgments in any other state or country, is filed with the registrar.

(b) Any person married without the consent provided for in subsection (a) of this section shall acquire no rights by such marriage in the property of any person who was under such control or supervision at the time of the marriage.

**Sec. 46b-33. (Formerly Sec. 46-5j). Copy of law to applicants.** Each registrar shall issue a copy of sections 46b-24, 46b-25 and 46b-29 to 46b-33, inclusive, to any person making application for a license.

**Sec. 46b-34. (Formerly Sec. 46-7). Marriage certificate. Affidavit in lieu of certificate.** (a) Each person who joins any person in marriage shall certify upon the license certificate the fact, time and place of the marriage, and return it to the registrar of the town where the marriage took place, before or during the first week of the month following the marriage. Any person who fails to do so shall be fined not more than ten dollars.

(b) If any person fails to return the certificate to the registrar, as required under subsection (a) of this section, the persons joined in marriage may provide the registrar with a notarized affidavit attesting to the fact that they were joined in marriage and stating the date and place of the marriage. Upon the recording of such affidavit by the registrar, the marriage of the affiants shall be deemed to be valid as of the date of the marriage stated in the affidavit.

**Sec. 46b-35. (Formerly Sec. 46-8). Certificates prima facie evidence.** The certificates required by sections 46b-24, 46b-24a, 46b-25 and 46b-29 to 46b-34, inclusive, or an affidavit recorded pursuant to subsection (b) of section 46b-34, shall be prima facie evidence of the facts stated in them.