

FAQs For New Marriage Officiant Licensing

Effective July 1, 2023, a new law creates the new office of “Marriage Officiant” for purposes of solemnizing marriages in Maine. ([5 M.R.S § 90-G](#)). This FAQ is to provide information concerning the effect on marriage officiants in Maine.

1. How do I find a licensed Marriage Officiant in Maine?

Please visit the https://apps1.web.maine.gov/cgi-bin/online/notary/search/marriage_officiant.pl for a list of licensed marriage officiants. You may search by town/city, county or name of marriage officiant.

2. Will a Maine Notary Public still be able to solemnize marriages after July 1, 2023?

No. A Maine Notary Public will no longer have the authority to solemnize a marriage in the capacity of notary public effective July 1, 2023. However, all Maine notaries public who are Maine residents are automatically eligible to receive a marriage officiant license free of charge unless they opt out or decline to receive the license as a marriage officiant. A marriage officiant license authorizes the licensee to solemnize marriages in Maine. The Secretary of State will be issuing a marriage officiant license to all active notaries public who are Maine residents and have not opted out of being issued the marriage officiant license by June 23, 2023.

3. I am currently a Maine Notary Public, but I do not want to solemnize marriages; how do I opt out of being issued a marriage officiant license?

Notaries who do not wish to be issued a marriage officiant license must communicate their desire to opt out of being issued a marriage officiant license through the Total Notary Solution – Online Renewal & Profile Update Service on or before **June 23, 2023**. Go to <https://apps1.web.maine.gov/cgi-bin/online/notary/total/index.pl> and on the right side of the page, under Online Services, click on Total Notary Solution - Online Renewal & Profile Update Service. Once on the Total Notary Solution page, on the right side of the page, log in to your commission account using your first name, last name, date of birth and commission expiration date. Please review and update your commission information on file with our office first; you will then need to put a checkmark in the marriage officiant license field to opt out of being issued the license. Once you have updated your information, click continue at the bottom of the page to complete the update. You will receive confirmation of the changes on a confirmation page as well as by an email from cec.notaries@maine.gov.

4. I am currently a Maine Notary Public, and I want to continue solemnizing marriages in Maine; how do I opt in to be issued a marriage officiant license?

There is no “opt in” required. On July 1, 2023, the Secretary of State will automatically issue a marriage officiant license to all active notaries public who are Maine residents and have not opted out of being issued the marriage officiant license by June 23, 2023.

5. May I opt back in to get a marriage officiant license if I opt out of being issued the license as a Notary Public?

No. Once a notary public opts out of being issued a marriage officiant license, you are not able to opt back in. Instead, if you later decide you want to be authorized to solemnize marriages, you will be required to submit a separate marriage officiant license application and pay the \$25 application fee.

6. I am a Maine resident but not a notary public; how do I apply for a marriage officiant license in Maine?

On July 1, 2023, an application to obtain a marriage officiant license will be available on the Secretary of State’s website. The application fee is \$25. To be eligible you must:

- Be at least 18 years of age;
- Be a resident of this State;
- Demonstrate an ability to read and write the English language; and
- Demonstrate an understanding of the laws and rules governing marriages ([19-A M.R.S Chapter 23](#))

A “resident of this State” means having established a fixed and principal home in the State of Maine, to which the individual, whenever temporarily absent, intends to return.

7. I am an attorney in Maine, may I still solemnize marriages after July 1, 2023, without applying for a marriage officiant license?

Yes, an attorney admitted to the Maine Bar is permitted to solemnize marriages in Maine pursuant to [19-A M.R.S § 655](#). Attorneys do not have to apply for a marriage officiant license with the Secretary of State.

8. I am a notary public, and I am supposed to solemnize a marriage on or after July 1st. How will I be able to do so?

If you **have not** opted out of being issued the marriage officiant license, you have the authority to solemnize the marriage as a licensed marriage officiant on or after July 1, 2023. If the marriage license that was issued to the parties getting married still states “notary public”, strike out the words “notary public” and either type or print “licensed marriage officiant (Maine resident)” in black ink as shown in the example below in red.

31. Signature of Officiant (<i>Signature Required</i>)		32. Officiant's Printed Name	
33. Officiant Title of the Office by Virtue (<i>check one</i>) <input type="checkbox"/> Justice or Judge <input type="checkbox"/> Lawyer admitted to the Maine Bar <input type="checkbox"/> Notary Public Licensed Marriage Officiant (Maine Resident) <input type="checkbox"/> Temporary Registration Certificate <input type="checkbox"/> Ordained Minister <input type="checkbox"/> Cleric engaged in the service of the religious body <input type="checkbox"/> Person licensed to preach by an association of ministers, religious seminary or ecclesiastical body		34. Date of Ordination/Commission or Expiration	
		35. Residence Street Address	
		36. City/Town	37. State
		40. Mailing Address (<i>Street or P.O.</i>) (<i>Apt/Unit</i>)	
		41. City/Town	42. State
45. Signature of Witness (<i>Signature Required</i>)		46. Witness Printed Name	
47. Signature of Witness (<i>Signature Required</i>)		48. Witness Printed Name	

9. If I receive a marriage officiant license, will my name and contact information be shared online publicly for parties looking for marriage officiants?

Yes, after a marriage officiant license has been issued (after July 1, 2023), the licensee’s name, city or town of residence, contact telephone number, and email address will be posted on the Secretary of State’s publicly accessible website at <https://www.maine.gov/sos/cec/notary/marriage/marriageofficiant.html>.

10. I am not a resident of Maine; how can I obtain authority to perform a marriage in Maine?

A temporary registration certificate is available through the Data, Research and Vital Statistics (DRVS) office within the Department of Health and Human Services, for residents of another State who are already authorized under the laws of their State to solemnize marriages. More information on this temporary registration certificate and instructions may be found on the DRVS website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/forms/index.shtml>.

11. What is my responsibility as a marriage officiant to solemnize a marriage in Maine?

Before any marriage is solemnized in the State of Maine, a marriage license must be obtained by the parties who intend to be married. Parties who reside in the State of Maine must obtain a marriage license from the Data, Research, and Vital Statistics (DRVS) office within the Department of Health and Human Services or the municipality in which they reside. Parties who live out of State may obtain the marriage license from DRVS or any municipality in the State of Maine.

It is the officiant's responsibility to ensure the following items are completed on the marriage license before the marriage is solemnized:

- The marriage license has been signed and issued by the DRVS or a municipal clerk authorizing the marriage to take place (box 26).
- The marriage license has not expired (box 24).
- Both parties' signatures and printed names are on the license (boxes 19 & 21). If the license has not been signed by the parties intending to marry, the officiant must obtain their signatures.

It is the officiant's responsibility to ensure the following is completed on the marriage license after the marriage is solemnized:

- The date of marriage is the actual date the marriage was solemnized (box 28).
- The place and county are where the marriage took place (boxes 29-30).
- The officiant's signature, title, and printed name (boxes 31-33).
- The officiant's date of ordination, commission, or expiration (for licensed marriage officiants) (box 34).
- The officiant's residence and mailing address (boxes 35-44).
- The signatures and printed names of both witnesses (boxes 45-48).

The marriage officiant must personally mail or bring the completed marriage license to the issuing authority specified in Box 27. Do not give the parties the completed license to file.

The issuing authority will review the completed marriage license for any errors or discrepancies and will sign in boxes 49 & 50. A marriage certificate may be obtained once the marriage license has been filed and registered in the Electronic Marriage Registration System (EMRS).

12. How long is a marriage license valid?

A marriage license is valid for 90 days from the date intentions are filed with the DRVS or municipal office. If the license is expired (item #24 on the marriage license), the parties must obtain a new license before the marriage ceremony can be performed.

13. May a marriage officiant solemnize a marriage for parties who are younger than 18 years of age?

If the parties to be married present you with a valid marriage license, then you can solemnize the marriage.

DRVS or a municipal office may issue a marriage license to parties under 18 years of age if the written consent of their parents, guardians, or persons to whom a court has given custody has been provided prior to the issuance of the marriage license. Marriages for parties under 16 years of age are not permitted.

14. May I solemnize a marriage for a party who is not physically present for the ceremony?

No. Marriages by proxy or marriages performed via the internet are not permitted in the State of Maine. The officiant, both parties, and two witnesses must be physically present for the ceremony.

15. Is there an age limit for the witnesses to a marriage?

No. There is no age limit required for witnesses. However, the witnesses must be able to read, write and sign their names and understand the seriousness of what is being asked of them.

16. As a Maine marriage officiant, may I solemnize a marriage for a family member?

Yes, you may solemnize a marriage for a family member.

17. May I use a Maine marriage license to solemnize a marriage in another State?

No. Any marriage license issued in the State of Maine is only valid for a marriage performed in the State of Maine.

18. As a Maine marriage officiant, may I use a marriage license issued by a State other than Maine to solemnize a marriage?

No. You do not have the authority to solemnize a marriage if you do not have a marriage license that has been issued by the State of Maine.

19. How do I change my name and/or contact information on my Marriage Officiant License?

Within 30 calendar days of the occurrence of any change to the licensee's legal name, physical address, or contact information on file with the Secretary of State, the licensee must notify the Secretary of State of the change by submitting the Marriage Officiant Information Change form available on the Secretary of State's website at www.maine.gov/sos/cec/notary/marriage/marriageofficiant.html.

20. Can a marriage officiant license be denied, refused, revoked or suspended by the Secretary of State?

Yes, the Secretary of State may deny, refuse to renew, suspend or revoke a marriage officiant license based on a finding that the applicant or licensee:

- A. Does not meet one or more of the following criteria;
 - a. Be at least 18 years of age;
 - b. Be a resident of this State;
 - c. Demonstrate an ability to read and write the English language; and
 - d. Demonstrate an understanding of the laws and rules governing marriages in this state under [Title 19-A chapter 23](#).
- B. Has failed to comply with any of the statutory requirements for a person solemnizing a marriage set forth in [19-A M.R.S. chapter 23](#); or
- C. Has failed to comply with any provision of the statute or [rules governing notaries public](#) if the applicant or licensee is a notary public.