

MISSOURI MARRIAGE LAWS  
*(Regarding responsibilities of pastors and clergymen)*

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**Marriages solemnized by whom.**

451.100 (RSMo). Marriages may be solemnized by any clergyman, either active or retired, who is in good standing with any church or synagogue in this state. Marriages may also be solemnized, without compensation, by any judge, including a municipal judge. Marriages may also be solemnized by a religious society, religious institution, or religious organization of this state, according to the regulations and customs of the society, institution or organization, when either party to the marriage to be solemnized is a member of such society, institution or organization.

(RSMo 1939 § 3363, A.L. 1945 p. 1145, A.L. 1969 p. 545, A.L. 1978 H.B. 1634, A.L. 1989 H.B. 898, A.L. 1998 H.B. 987)

Prior revisions: 1929 § 2976; 1919 § 7301; 1909 § 8282

CROSS REFERENCE:

Penalty for illegally solemnizing marriage, 451.115

**Certificate of marriage to be given.**

451.110 (RSMo). Every person solemnizing marriages under this chapter shall issue and deliver to the parties to such marriage a certificate thereof, which shall be furnished in blank by the officer who issues such license, setting forth the names and residence of the parties and the date of such marriage, and the county from which the license was issued and the date of same; and such certificates shall be prima facie evidence of the facts therein stated in all courts of this state.

(RSMo 1939 § 3369)

Prior revisions: 1929 § 2982; 1919 § 7307; 1909 § 8288

**Marriages illegally solemnized--penalty.**

451.115 (RSMo). Every person who shall solemnize any marriage, having knowledge of any fact which renders such marriage unlawful or criminal in either of the parties under any law of this state, or, having knowledge or reasonable cause to believe that either of the parties shall be under the age of legal consent, or is prohibited by section 451.020 from entering into such marriage, or where to his knowledge, any other legal impediment exists to such marriage, and every person not authorized by law to solemnize marriages who shall falsely represent that he is so authorized, and who, by any pretended marriage ceremony which he may perform, shall deceive any innocent person or persons into the belief that they have been legally married, shall, on conviction, be adjudged guilty of a class C misdemeanor.

(RSMo 1939 § 4652, A.L. 1982 S.B. 785, A.L. 1983 S.B. 44 & 45)

Prior revisions: 1929 § 4264; 1919 § 3514; 1909 § 4728

\*Transferred 1978; formerly 563.250

**Penalty for solemnizing marriage without license, or failing to keep a record thereof.**

451.120 (RSMo). Any person who shall solemnize any marriage wherein the parties have not obtained a license, as provided by this chapter, or shall fail to keep a record of the solemnization of any marriage, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not exceeding five hundred dollars, and in addition shall be subject to a civil action by the parent, conservator or other person having care or custody of the person so married, to whom services are due wherein the recovery shall not exceed the sum of five hundred dollars; and any recorder who shall issue a license contrary to the provisions of this chapter shall be subject to a like punishment.

(RSMo 1939 § 3371, A.L. 1983 S.B. 44 & 45)  
Prior revisions: 1929 § 2984; 1919 § 7309; 1909 § 8290

**Penalty for failure to issue, record or return license.**

451.130 (RSMo). 1. If any recorder willfully neglect or refuse to issue a license to any person legally entitled thereto on application, on payment or tender of the fee provided for in section 451.150, or shall fail to refuse to record such license, with the return thereon, as herein provided, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five nor more than one hundred dollars.

2. Every officer or person who shall fail to return a license within fifteen days after the issuing of the same, or who shall make a false return thereon, or any recorder who shall willfully make a false record of any marriage license or return thereon, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished as provided in the preceding part of this section.

(RSMo 1939 § 3367, A.L. 2001 H.B. 157)  
Prior revisions: 1929 § 2980; 1919 § 7305; 1909 § 8286