



General Requirements for Marriage in Tennessee

Where can I get a marriage license?

County clerks issue marriage licenses in Tennessee. All ninety-five counties in Tennessee have a county clerk's office.¹ Please see "Obtaining a Marriage License in Tennessee by County" at <http://www.aclu-tn.org/tn-county-marriage-license.htm> for more information about your county.

Do I have to get license from the county clerk in my county of residence to get married?

No. You may get your license from any county clerk in the state.² After your ceremony, you will need to return the signed license to the county clerk that issued the license.³

What identification and information will be necessary to get the marriage license?

Both applicants must fill out a written application stating their names, ages, addresses and social security numbers, and the names and addresses of their parents, guardian or next of kin. The applicants must swear that the information is correct in their application under penalty of perjury.⁴

Do both people who wish to get married have to appear in the county clerk's office to obtain the license?

Yes. If either of the applicants is disabled and unable to appear at the clerk's office, or if either applicant is incarcerated, then his or her appearance may be waived upon submission of a sworn and notarized statement with the required information.⁵

How long is the marriage license valid?

Thirty-days from its issuance by the clerk. You must present the license to your officiant and have some sort of ceremony before the officiant to solemnize your marriage (i.e., make it official) within the thirty day period.⁶ The ceremony may be as simple as an affirmation from both parties to enter into the marriage. The officiant must note the fact and time of the marriage and sign and return the license to the county clerk within three days of the date of the marriage.⁷

Once the marriage license is obtained, how soon can the marriage be performed?

Immediately, unless you are under age eighteen. If one of the parties is a minor, then there is a three-day waiting period after application for the license before a ceremony solemnizing the marriage, or making it official, may occur. This waiting period can be waived upon application to a court.⁸

What are the age requirements to get married?

You must be sixteen years of age or older to marry in Tennessee.⁹ If you are under 18 years of age, a parent, guardian, next of kin or person having custody of the applicant must join the application.¹⁰

Do we need to get blood tests or a medical exam before getting our license?

No. Blood tests and medical exams are no longer required in Tennessee.¹¹

Are we required to get premarital counseling before getting our license?

No, but it will save you about \$60.00. If you provide the county clerk with a valid and timely certificate of completion of a premarital preparation course conducted by an authorized counselor, approximately \$60 of your marriage license fee will be waived.¹²

How much does a marriage license cost?

This varies from county to county. Please see “Obtaining a Marriage License in Tennessee by County” at <http://www.aclu-tn.org/tn-county-marriage-license.htm> for more information about your county.

Who can officiate a marriage ceremony?

Authorized officiants include: “All regular ministers, preachers, pastors, priests, rabbis and other spiritual leaders of every religious belief, more than eighteen (18) years of age, having the care of souls.”¹³ To perform the required marriage ceremony and solemnize the marriage, any such spiritual leader must be ordained or otherwise designated by his or her religious group or organization to perform marriages. Such an ordination or designation must be by “a considered, deliberate, and responsible act.”¹⁴ The Tennessee Attorney General has interpreted this law to prohibit a person who is ordained by an Internet or mail order service that requires only that the person give his or her name and pay a fee from performing marriage ceremonies in Tennessee.

In addition to a religious official, certain government officials are authorized to perform wedding ceremonies:

- *The governor;*
- *The speaker of the Senate and former speakers of the Senate;*
- *The speaker of the House of Representatives and former speakers of the House of Representatives;*
- *Current and former members of county legislative bodies or county commissions;*
- *Current or former county mayors or county executives;*
- *Current or former judges and chancellors, including any judge of the United States courts who are citizens of Tennessee;*
- *The county clerk of each county and former county clerks who occupied the office of county clerk on or after July 1, 2014; and*
- *Mayors of any municipality.*¹⁵

Do we need a witness for the ceremony?

No, just the presence of the officiant.¹⁶

Do we need to follow a particular format for the ceremony or have our officiant use specific words or phrases?

No. There is no required formula that needs be observed in a ceremony. The participants must declare, in the presence of the officiant, their acceptance of one another as spouses.¹⁷

Can I get married at the county clerk’s office?

It depends. Some clerks’ offices offer to perform the ceremony, some do not. For more information on your particular county, visit “Obtaining a Marriage License in Tennessee by County” at <http://www.aclu-tn.org/tn-county-marriage-license.htm>.

For more on marriage equality in Tennessee, visit www.aclu-tn.org/marriageTN.html

¹¹T.C.A. § 36-3-103(a).

¹²T.C.A. § 36-3-103(a).

¹³T.C.A. § 36-3-103(c)(1).

¹⁴T.C.A. § 36-3-104(a).

¹⁵T.C.A. § 36-3-104(a).

¹⁶T.C.A. § 36-3-103(a).

¹⁷T.C.A. § 36-3-303(a).

¹⁸T.C.A. § 36-3-104(b)(1).

¹⁹T.C.A. § 36-3-105(a).

²⁰T.C.A. § 36-3-106(a).

²¹T.C.A. § 36-3-201 et seq.

²²T.C.A. § 36-6-413.

²³T.C.A. § 36-3-301(a)(1).

²⁴T.C.A. § 36-3-301(2).

²⁵T.C.A. § 36-3-301(a)(1).

²⁶T.C.A. § 36-3-302.

²⁷T.C.A. § 36-3-302.