

1975 WL 29497 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 11, 1975

**\*1 Re: Marriage Licenses**

Honorable Ralph W. Drake  
Judge of Probate  
Greenville County Courthouse  
Greenville, South Carolina 29602

Dear Judge Drake:

Please forgive the delay in responding to your inquiry presented to me January 31, 1975, concerning the effect of a South Carolina Marriage License in Georgia. I have enclosed a copy of a 1951-52 Opinion of the Attorney General, No. 133. This is an old opinion but I believe the reasoning and conclusions reached in regard to this particular issue remain basically correct. A South Carolina license, issued pursuant to Section 20-23 and in accord with Section 20-25 of the South Carolina Code of Laws, can only maintain territorial authorization within the State of South Carolina. South Carolina marriage rules and procedures apply only to marriages performed in South Carolina, they do not attempt to regulate marriage outside of this State.

The issue therefore must be decided in accord with Georgia law. The effectiveness of a marriage in Georgia must be decided by the Georgia authorities pursuant to their procedures. If they wish to recognize the validity of a marriage conducted in Georgia pursuant to a South Carolina marriage license then I believe South Carolina would also recognize the validity of that marriage.

I hope this information will be of some help to you in this matter. With kind regards, I remain

Very truly yours,

Edwin E. Evans  
Staff Attorney

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