

1975 WL 28986 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 7, 1975

*1 Rev. Clay T. Wilson
Route 3
Piedmont, S. C. 29673

Dear Rev. Wilson:

You have asked for a definition of the phrase 'ministers of the Gospel' as used in the Code of Laws of South Carolina (1962), § 20-2, to delineate those persons lawfully able to administer a marriage ceremony in this State.

This question was dealt with in an earlier opinion of this Office where it was stated that the intent of the marriage statute is patently that marriage ceremonies be performed by a person authorized by the tenets of some faith to person such ceremony. 1959-60 Op.Att'y.Gen., No. 136, p.283. Accordingly, the authority to perform the ceremony has been interpreted to include a Jewish Cantor, 1960-61 Op.Att'y. Gen., No. 1201, p.290; a seminary student, 1959-60 Op.Att'y. Gen., No. 136, p. 283; those authorized to perform by the Baha'i Faith, 1960-61 Op.Att'y.Gen., No. 1080, p. 148; and the Quaker Committee of Oversight, 1967-68 Op.Att'y.Gen., No. 2549, p. 244.

Thus the opinions issued by this Office seem to indicate that a person may perform the marriage ceremony if he is authorized by the tenets of some faith to do so. The law will go no further to establish additional requirements nor will it interfere with the criteria set up by a religious faith by which the decision is made as to what persons may properly perform this holy function.

I hope this answers your question satisfactorily. If we can be of any further help, please let us know.

Sincerely,

Wallace Smith
Law Clerk

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