Note: The following is general information. Please contact the clerk where you plan to purchase the license for specific requirements, office hours and further information.

Where do you get a marriage license?

A couple who intends to be married in New York State must apply in person for a marriage license to any town or city clerk in the state. The application for a license must be signed by both applicants in the presence of the town or city clerk. A representative cannot apply for the license on behalf of the applicant. This applies even if the representative has been given a Power of Attorney.

Notarized marriage license affidavits signed by the applicants cannot be substituted for their personal appearance.

Is there a waiting period?

Yes. Although the marriage license is issued immediately, the marriage ceremony may not take place within 24 hours from the exact time that the license was issued.

The 24-hour waiting period may be waived by a judge or justice of the Supreme Court of New York State or the county judge of the county in which either party to be married resides.

How long is the license valid?

A marriage license is valid for 60 calendar days, beginning the day after it is issued. If a party to the marriage is active U.S. military, the solemnization period may be extended to 180 calendar days. The applicant must provide proof to the issuing clerk at the time of application.

How much does the license cost?

If the marriage license is issued by a town or city clerk in New York State outside of New York City, it costs $40. This fee includes the issuance of a Certificate of Marriage Registration. This certificate is automatically sent by the issuing clerk to the applicants within 15 calendar days after the completed license is returned by the officiant (person who performs the marriage ceremony). It serves as notice that a record of the marriage is on file. Couples who do not receive a Certificate of Marriage Registration within four weeks of the wedding should contact the town or city clerk who issued the license.

If the license is to be issued by the City Clerk of the City of New York, please contact the New York City Clerk's Office for current fees and requirements. The City Clerk's Office can be reached at (212) NEW-YORK or via its website at www.cityclerk.nyc.gov.

Is a premarital physical exam required?

No premarital examination or blood test is required to obtain a marriage license in New York State.

Who can get married?

Age Requirements

Marriages of minors under eighteen years of age is prohibited. If either applicant is under 18 years of age, a marriage license cannot be issued.

Proof of Age and Identity

Both parties are required to present to the clerk documentary proof of age. Possible documents include those listed here.

Contact the clerk's office where you plan to purchase your license to find out what they require.

- an original or certified copy of a birth record,
- a certification of birth issued by the state department of health, a local registrar of vital statistics or other public officer charged with similar duties by the laws of any other state, territory or country,
- a baptismal record,
- a passport,
- an automobile driver's license,
- any government or school issued identification card that contains a photograph of the applicant,
- a life insurance policy,
- an employment certificate,
- a school record,
- an immigration record,
- a naturalization record,
- a court record or any other document or record issued by a governmental entity, showing the date of birth of such parties

Familial Restrictions

A marriage may not take place in New York State between an ancestor and descendant, siblings (full or half blood), an uncle and niece or nephew or an aunt and niece or nephew, regardless of whether or not these persons are legitimate or illegitimate offspring.

Previous Marriages

Information regarding previous marriages must be furnished in the application for a marriage license. This includes whether the former spouse or spouses are living, and whether the applicants are divorced and, if so, when, where and against whom the divorce or divorces were granted. A certified copy of the Decree of Divorce or a Certificate of Dissolution of Marriage may be required by the clerk issuing the marriage license.

Name Change Options

Every person has the right to adopt any name by which he or she wishes to be known simply by using that name consistently and without intent to defraud.

A person's last name (surname) does not automatically change upon marriage, and neither party to the marriage is required to change his or her last name. Parties to a marriage need not take the same last name.

One or both parties to a marriage may elect to change the surname by which he or she wishes to be known after the marriage by entering the new name in the appropriate space provided on the marriage license. The new name must consist of one of the following options:

- the surname of the other spouse;
- any former surname of either spouse;
- a name combining into a single surname all or a segment of the premarriage surname or any former surname of each spouse;
- a combination name separated by a hyphen or a space, provided that each part of such combination surname is the premarriage surname, or any former surname, of each of the spouses.

One or both parties to a marriage may elect to change the middle name by which he or she wishes to be known after the marriage by entering the new name in the appropriate space provided on the marriage license. The new middle name must consist of one of the following options:

- the current surname of the spouse electing to change his or her name;
- any former surname of the spouse electing to change his or her name;
- the surname of the other spouse.

The use of this option will provide a record of your change of name. The marriage certificate, containing the new name, if any, is proof that the use of the new name, or the retention of the former name, is lawful. The local Social Security Administration office should be contacted so that its records and your Social Security identification card reflect the name change.

There is no charge for this service.

To change the name on your NYS driver license or non-driver identification, contact the

New York State Department of Motor Vehicles for information or visit https://dmv.ny.gov/

Whether you decide to use or not use this option at the time of your marriage license application, you still have the right to adopt a different name through usage at some future date. However, your marriage license cannot be changed to record a surname you decide to use after your marriage.

If you plan to use your married name at work, be sure to have your name changed in Social Security records. This way, you will get credit for all your earnings. It's easy and it's absolutely free. Contact any Social Security office. You can find the address and phone number of your local Social Security Office at http://www.ssa.gov. You will need documentary evidence showing both your old name and your new name.

Where can a marriage take place?

A New York State marriage license may be used within New York State only. Please note that if you go out of New York State to be married, your New York State marriage license will not be filed in New York State.

What about the ceremony?

There is no particular form or ceremony required except that the parties must state in the presence of an authorized public official or authorized member of the clergy and at least one other witness that each takes the other as his or her spouse.

There is no minimum age for a witness. However, in selecting a witness, choose at least one person who you feel would be competent to testify in a court proceeding as to what he or she witnessed.

Who can perform a marriage ceremony?

To be valid, a marriage ceremony must be performed by any of the individuals specified in Section 11 of the New York State Domestic Relations Law. These include:

- the current or a former governor;
- the mayor of a city or village;
- the former mayor, the city clerk or one of the deputy city clerks of a city of more than one million inhabitants;
- a marriage officer appointed by the town or village board or the city common council;
- a member of the New York state legislature;
- a justice or judge of the following courts: the U.S. Court of Appeals for the Second Circuit, the U.S. District Courts for the Northern, Southern, Eastern or Western Districts of New York, the New York State Court of Appeals, the Appellate Division of the New York State Supreme Court, the New York State Supreme Court, the Court of Claims, the Family Court, a Surrogates Court, the Civil and Criminal Courts of New York City (including Housing judges of the Civil Court) and other courts of record;
- a village, town or county justice;
- a member of the clergy or minister who has been officially ordained and granted authority to perform marriage ceremonies from a governing church body in accordance with the rules and regulations of the church body;
- a member of the clergy or minister who is not authorized by a governing church body but who has been chosen by a spiritual group to preside over their spiritual affairs;
- other officiants as specified by Section 11 of the Domestic Relations Law.

The person performing the ceremony must be registered with the City of New York in order to perform a ceremony within the New York City limits. The officiant does not have to be a resident of New York State.

Ship captains are not authorized to perform marriage ceremonies in New York State.

Where do you get copies of records?

For copies of marriage licenses issued anywhere in New York State except New York City, a certified copy of the marriage record may be obtained from the office of the town or city clerk who issued the license, or from the New York State Department of Health. The fee is $10 if you obtain a certified copy from the town or city clerk who issued the license. If applying to the New York State Department of Health, the fee is $30. For a certified copy, write to:

New York State Department of Health
Bureau of Vital Records Certification Unit
P.O. Box 2602
Albany, New York 12220-2602

For marriage licenses issued in New York City, do not apply to the New York State Department of Health. You must apply to the Office of the City Clerk of New York. For an application and current fees, contact the Clerk's Office at (212) NEW-YORK or go to www.cityclerk.nyc.gov.

MANHATTAN:
141 Worth Street
New York, New York 10013

BRONX:
851 Grand Concourse, Room B131
New York, New York 10451

BROOKLYN:
210 Joralemon Street, 2nd Floor, Room 205
Brooklyn, New York 11201

QUEENS:
120-55 Queens Boulevard, Room G100
Kew Gardens, New York 11424

STATEN ISLAND:
10 Richmond Terrace, 3rd Floor, Room 311
Staten Island, New York 10301

NEW YORK STATE | Department of Health

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Getting Married

in New York State