



# County Technical Assistance Service

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## Marriage Records

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Marriage Records

**Reference Number:** CTAS-395

### Marriage Book

The county clerk is required to record in a well-bound book the names of the parties and the date of the issuance of the marriage license, and to copy immediately under or opposite thereto the return of the proper officiant who solemnized the rite of matrimony and the date thereof. T.C.A. § 18-6-109.

### Marriage Certificate

Most county clerks, after receiving the completed and signed marriage license after the ceremony has been performed, forward a marriage certificate to the newly married couple, showing the fact that the marriage has been duly recorded in the county's marriage records. However, some county clerks have a two part license with a detachable certificate. [Sample marriage certificate](#).

### State Marriage Records filed with the Office of Vital Records

A record of each marriage performed in this state is required to be filed with the Tennessee Department of Health, Office of Vital Records, and shall be registered if it has been properly completed and filed. The county clerk who issues the marriage license is required to prepare the record on the form Certificate of Marriage furnished by the state registrar upon the basis of information obtained from the parties to be married. The Certificate of Marriage requires the signature of both the applicants in the presence of the county clerk; however, where an applicant is authorized by T.C.A. § 36-3-104 to apply by submitting a sworn affidavit, personal appearance before the county clerk is not required. The Certificate of Marriage also contains spaces for the officiant who performs the ceremony to certify the marriage of the persons, a witness to the marriage to sign (although a witness is not required by law), the county of marriage, and whether the marriage is a religious or civil service. This Certificate of Marriage, like the marriage license, must be returned to the county clerk within three (3) days of the performing of the marriage ceremony. T.C.A. § 68-3-401. [Certificate of Marriage form required by the TN Department of Health, Office of Vital Records](#)

The county clerk must complete and forward the records of marriages filed during the preceding calendar month on or before the tenth day of each calendar month to the Office of Vital Records. A marriage not filed within these time requirements may be registered in accordance with the regulations of the Office of Vital Records. If a marriage license has been obtained by incorrect identification, the fraudulent records should be voided and a correct certificate of marriage placed on file by order of a court in the county where the license was issued in accordance with the regulations established by the Department of Health. T.C.A. § 68-3-401. The requirements and procedures for amending state vital records, including marriage records, are found in T.C.A. § 68-3-203 and Tenn. Comp. R. & Regs. 1200-07-01-.10.

The county clerk is authorized to record and certify any license used to solemnize a marriage which is properly signed by the officiant when the license is returned to the issuing county clerk. The issuing county clerk then forwards the record to the Office of Vital Records to be filed and registered. This includes Tennessee marriage licenses which are used to officiate out-of-state ceremonies. T.C.A. § 36-3-103(c)(1).

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