



May 18, 2024

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# County Clerk Violations

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Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://ctas.tennessee.edu)). This website is maintained 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 CTAS website material.

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
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Nashville, Tennessee 37219  
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# County Clerk Violations

Reference Number: CTAS-429

Any county clerk or deputy clerk who, not acting in good faith, issues a marriage license without compliance with the provisions of the last sentence in T.C.A. § 36-3-103(c)(1), §§ 36-3-104 through 36-3-106, § 36-3-109, § 36-3-110, or § 36-3-113 (regarding § 36-3-113, see *Obergefell v. Hodges*, 135 S.Ct. 2584 (2015); see also Op. Tenn. Att'y Gen. 17-29) is guilty of a Class C misdemeanor, which is punishable by imprisonment not greater than thirty (30) days or a fine not to exceed fifty dollars (\$50.00) or both. T.C.A. §§ 36-3-111, 40-35-111.

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