

HOUSE BILL 449

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11r0818
CF 11r0815

By: **Delegate Bartlett**

Introduced and read first time: January 15, 2021

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Marriage – Licenses and Records**

3 FOR the purpose of altering certain designations on a marriage license and certificate;
4 authorizing the clerk of the circuit court to maintain a certain electronic record as
5 an alternative to the requirement that the clerk keep a certain marriage license book;
6 and generally relating to marriage.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 2–403 and 2–501
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2020 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Family Law**

15 2–403.

16 (a) (1) A license shall read substantially as follows:

17 “State of Maryland and County of To any individual authorized by the laws
18 of this State to perform a marriage ceremony. You are hereby authorized to join together
19 in matrimony according to the rules and ceremonies of your church, society or religious sect
20 and the laws of this State, or according to the laws of this State, the following individuals:

21
22 (state here name of intended [husband]
23 **PARTY ONE)**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1
 2 (state here name of intended [wife]
 3 **PARTY TWO)**

4 Given under my hand and seal of the Circuit Court for, this
 5 day of (state here month and year).”

6 (2) A license shall contain:

7 (i) appropriate spaces in which the clerk shall enter:

8 1. the relationship of the parties to be married, if any; and

9 2. as to each party, the name, age, state or foreign country in
 10 which born, residence, and marital status (single, widowed, or divorced); and

11 (ii) a statement that the license is valid only:

12 1. for 6 months from the effective date and time stated on the
 13 license; and

14 2. in the county in which it is issued.

15 (b) (1) Attached to a license shall be 2 certificate forms that:

16 (i) read, “I hereby certify that on this day of (state
 17 here month and year), (state here time), at (state here location), in
 18 accordance with the license issued by the Clerk of the Circuit Court for (state
 19 here jurisdiction), I united in marriage the following individuals:

20
 21 (state here name of [husband] **PARTY**
 22 **ONE)**

23
 24 (state here name of [wife] **PARTY**
 25 **TWO)**”;

26 (ii) restate all information concerning the individuals married that
 27 is stated on the marriage license; and

28 (iii) provide a space for the signature of the authorized official who
 29 performs the marriage ceremony.

30 (2) Attached to a license, in the case of a Society of Friends marriage
 31 ceremony, shall be 2 certificate forms that:

1 (i) read, “We hereby certify that on this day of (state
2 here month and year), (state here time), at (state here location), we,
3 (state here name of [husband] **PARTY ONE**) and (state here name of [wife] **PARTY**
4 **TWO**) were united in marriage in accordance with the ceremony of the Society of Friends
5 and in accordance with the license issued by the Clerk of the Circuit Court for (state
6 here jurisdiction)”;

7 (ii) restate all information concerning the individuals married that
8 is stated on the marriage license; and

9 (iii) provide spaces for the signatures of the parties and the 2
10 overseers of the marriage ceremony.

11 2–501.

12 Each clerk shall keep in the clerk’s office a marriage license book **OR ELECTRONIC**
13 **RECORD**, which shall contain:

14 (1) a complete record of each license issued;

15 (2) a complete record of all matters the clerk is required to ascertain that
16 relate to the rights of an individual to obtain a license;

17 (3) in regular order, the items testified to by the applicants for a license as
18 required under this title;

19 (4) properly indexed, the name of each individual who intends to be
20 married; and

21 (5) the date each certificate was filed and the name of the authorized
22 official who performed the ceremony.

23 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall take effect
24 October 1, 2021.