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**By: Senator Kelley**

Introduced and read first time: January 29, 1996

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Marriage Licenses - Domestic Violence - Warning**

3 FOR the purpose of requiring that an application for a marriage license contain a  
4 statement that informs the parties to a marriage about certain laws against abuse,  
5 the applicability of these laws, and the consequences of violations of these laws; and  
6 generally relating to required information on an application for a marriage license.

7 BY repealing and reenacting, with amendments,  
8 Article - Family Law  
9 Section 2-402  
10 Annotated Code of Maryland  
11 (1991 Replacement Volume and 1995 Supplement)

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

14 **Article - Family Law**

15 2-402.

16 (a) An applicant for a license may apply to the clerk only at the office of the clerk  
17 during regular office hours.

18 (b) Except as provided in subsections (d) and (e) of this section, to apply for a  
19 license, 1 of the parties to be married shall:

20 (1) appear before the clerk and give, under oath, the following information,  
21 which shall be placed on an application form by the clerk:

22 (i) the full name of each party;

23 (ii) the place of residence of each party;

24 (iii) the age of each party;

25 (iv) whether the parties are related by blood or marriage and, if so, in  
26 which degree of relationship;

27 (v) the marital status of each party; and

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1 (vi) whether either party was married previously, and the date and  
2 place of each death or judicial determination that ended any former marriage; and

3 (2) sign the application form.

4 (c) (1) The license application shall provide spaces for the voluntary disclosure  
5 of the Social Security numbers of the parties.

6 (2) The clerk shall place Social Security numbers that are disclosed under  
7 this subsection on the marriage license certificate forms required under § 2-403 of this  
8 subtitle.

9 (D) A LICENSE APPLICATION SHALL CONTAIN THE FOLLOWING STATEMENT:

10 "THE LAWS OF THIS STATE AFFIRM YOUR RIGHT TO LIVE WITHIN THIS  
11 MARRIAGE FREE FROM VIOLENCE AND ABUSE. NEITHER YOU NOR YOUR SPOUSE IS  
12 THE PROPERTY OF THE OTHER. THE LAWS AGAINST PHYSICAL ABUSE, SEXUAL  
13 ABUSE, BATTERY, AND ASSAULT ARE APPLICABLE TO SPOUSES AND OTHER FAMILY  
14 MEMBERS, AND VIOLATIONS OF THESE LAWS ARE PUNISHABLE BY EITHER FINE OR  
15 IMPRISONMENT OR BOTH."

16 [(d)] (E) If the parties to be married are not residents of the county where the  
17 marriage ceremony is to be performed, the clerk shall accept, instead of the application  
18 specified in subsection (b) of this section, an affidavit from 1 of the parties to be married.  
19 The affidavit shall:

20 (1) contain the information required by subsection (b) of this section; and

21 (2) be sworn to under oath before a clerk or other comparable official in the  
22 county, state, province, or country where the party resides.

23 [(e)] (F) In Cecil County both parties to be married shall appear together before  
24 the clerk to apply for a license.

25 [(f)] (G) Until a license is issued, a clerk may not disclose the fact that an  
26 application for a license has been made except to the parent or guardian of a party to be  
27 married.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
29 printings of marriage license application forms occurring on or after the effective date of  
30 this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 1996.