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**By: Senators Amoss and Collins**

Introduced and read first time: January 23, 1997

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 18, 1997

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## CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Harford County - Marriage License and Ceremony Fees**

3 FOR the purpose of increasing the amount of the marriage license fee in Harford County;  
4 requiring the clerk to pay a certain amount of the proceeds from the marriage  
5 license fee to the Harford County Sexual Assault/Spousal Abuse Resource Center,  
6 Inc.; requiring the clerk to pay a certain amount of the proceeds from the clerk's fee  
7 for performing a marriage ceremony to the Historical Society of Harford County,  
8 Inc.; and generally relating to certain fees in Harford County.

9 BY repealing and reenacting, with amendments,  
10 Article - Family Law  
11 Section 2-404(e) and 2-410(a)  
12 Annotated Code of Maryland  
13 (1991 Replacement Volume and 1996 Supplement)

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

16 **Article - Family Law**

17 2-404.

18 (e) In Harford County:

19 (1) the County Council may set by resolution an additional fee of up to  
20 [\$35] \$40 for each license;

21 (2) the clerk shall:

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1 (i) retain 3% of the proceeds from the additional fee for processing;  
2 [and]

3 (II) PAY \$5 OF THE PROCEEDS FROM EACH LICENSE TO THE  
4 HARFORD COUNTY SEXUAL ASSAULT/SPOUSAL ABUSE RESOURCE CENTER, INC.;  
5 AND

6 [(ii)] (III) pay the remaining proceeds to the Treasurer of Harford  
7 County each month;

8 (3) the County:

9 (i) shall use the proceeds, in addition to designated federal, State, and  
10 County funds, to fund battered spouse shelters and domestic violence programs; and

11 (ii) may make in-kind contributions to battered spouse and domestic  
12 violence programs; and

13 (4) the County Executive shall prepare and make available an annual report  
14 on or before December 1 of each year on the disposition of fees collected under this  
15 subsection during the previous fiscal year.

16 2-410.

17 (a) (1) Except as provided in this subsection, a clerk or deputy clerk may not  
18 receive any fee, remuneration, or gift for performing a marriage ceremony.

19 (2) (i) Except as provided in paragraph (6) of this subsection, the clerk's  
20 or deputy clerk's fee for performing a marriage ceremony is \$25.

21 (ii) Each month the clerk shall pay \$10 of each fee collected under this  
22 section into the general fund of the County.

23 (iii) Except as otherwise provided in this subsection, the clerk shall  
24 retain the remainder of each fee and deposit and disburse it in the same manner as other  
25 fees collected by the clerk.

26 (3) In Allegany County, from the remaining \$15, the clerk shall pay,  
27 quarterly, \$2 of each fee to the Allegany County Historical Society.

28 (4) (i) In Anne Arundel County, from the remaining \$15, the clerk shall  
29 pay \$4 of each fee to the Annarrundel County Trust for Preservation, Inc.

30 (ii) The Annarrundel County Trust for Preservation, Inc. shall report  
31 annually to the Anne Arundel County Executive and the Maryland Historical Trust on  
32 the use of all funds received under this section, including a detailed record of the  
33 expenditures and receipts of all funds transferred from the Anne Arundel County  
34 Committee of the Historical Trust.

35 (iii) The Anne Arundel County Executive or the Maryland Historical  
36 Trust may request at any time an audit of the financial records of the Annarrundel  
37 County Trust for Preservation, Inc.

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1 (5) (i) In Baltimore County, from the remaining \$15, the clerk shall pay  
 2 \$5 of each fee to the Baltimore County Historical Trust, Inc.

3 (ii) The Baltimore County Historical Trust, Inc. shall report annually  
 4 to the Baltimore County Executive and the Maryland Historical Trust on the use of all  
 5 funds received under this section, including a detailed record of the expenditures and  
 6 receipts of all funds collected before July 1, 1987.

7 (iii) The Baltimore County Executive or the Maryland Historical Trust  
 8 may request at any time an audit of the financial records of the Baltimore County  
 9 Historical Trust, Inc.

10 (6) In Cecil County:

11 (i) the clerk's or deputy clerk's fee for performing a marriage  
 12 ceremony is \$30;

13 (ii) of the funds remaining after the payment into the general fund of  
 14 the County under paragraph (2)(ii) of this subsection, the clerk shall pay:

15 1. \$5 of each fee to the Cecil Historical Trust, Incorporated;  
 16 and

17 2. \$5 of each fee to the Historical Society of Cecil County;

18 (iii) the Historical Society of Cecil County shall report annually to the  
 19 Cecil County Commissioners on the use of the funds received under this section;

20 (iv) the Cecil Historical Trust, Incorporated shall report annually to  
 21 the Cecil County Commissioners and the Maryland Historical Trust on the use of all  
 22 funds received under this section, including a detailed record of the expenditures and  
 23 receipts of all funds transferred from the Cecil County Committee of the Maryland  
 24 Historical Trust; and

25 (v) the Cecil County Commissioners or the Maryland Historical Trust  
 26 may request at any time an audit of the financial records of the Cecil Historical Trust,  
 27 Incorporated.

28 (7) In Garrett County, from the remaining \$15, the clerk shall pay \$2 of each  
 29 fee to the Garrett County Historical Society.

30 (8) In Montgomery County, from the remaining \$15, the clerk shall pay:

31 (i) \$2 of each fee to the Montgomery County Historical Society,  
 32 Incorporated; and

33 (ii) \$3 of each fee into the fund for the enhancement and  
 34 beautification of the Montgomery County Courthouse and facilities.

35 (9) (i) In Prince George's County, from the remaining \$15, the clerk shall  
 36 pay \$3 of each fee to Prince George's Heritage, Inc.

37 (ii) Prince George's Heritage, Inc. shall report annually to the Prince  
 38 George's County Executive and the Maryland Historical Trust on the use of all funds

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1 received under this section, including a detailed record of the expenditures and receipts  
2 of all funds collected before July 1, 1987.

3 (iii) The Prince George's County Executive or the Maryland Historical  
4 Trust may request at any time an audit of the financial records of Prince George's  
5 Heritage, Inc.

6 (10) IN HARFORD COUNTY, FROM THE REMAINING \$15, THE CLERK  
7 SHALL PAY ~~\$5~~ \$10 OF EACH FEE TO THE HISTORICAL SOCIETY OF HARFORD COUNTY,  
8 INC.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 1997.