

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 250 (Chairman, Judiciary Committee)
(Maryland Judicial Conference)

Judiciary

Family Law - Marriage Licenses

This bill makes various changes to provisions of law relating to marriage licenses.

A marriage license issued before the bill's October 1, 1999 effective date remains as valid as if the bill had not been enacted.

Fiscal Summary

State Effect: Increase in general fund revenues of approximately \$7,200 annually. No effect on expenditures.

Local Effect: Decrease in revenues of approximately \$300 annually for Anne Arundel County.

Small Business Effect: None.

Fiscal Analysis

Bill Summary: This bill makes the following changes to provisions of law relating to marriage licenses:

- the period of time during which disclosure of an application for a marriage license is prohibited is altered;
- the contents of a marriage license and certificate are altered;

- the valid period of a marriage license is established;
- the provision that authorizes the issuance of replacement licenses only in Anne Arundel County is expanded to include the other counties in the State;
- a \$10 fee for a replacement license is established;
- the fee for a replacement license is required to be paid into the general fund of the State;
- the clerk is authorized to issue and deliver a marriage license at the time an application for a license is made;
- delivery of a marriage license is permitted to be made to any person authorized in writing by either of the parties to accept delivery;
- the effective time for a marriage license is established;
- a judge of the circuit court for the county in which the application for a license is made is authorized to order early effectiveness of a marriage license under certain circumstances;
- a provision authorizing the clerk to destroy marriage license applications after a certain time period is repealed;
- the time period within which a marriage ceremony may be performed is altered;
- an individual without an effective license is prohibited from performing a marriage ceremony; and
- the period of time after which a clerk is required to attempt to determine whether a marriage ceremony was performed is altered.

State Effect: The bill is largely procedural in nature. Therefore, it is expected that any change in activities for court clerk's offices could be handled within existing budgeted resources.

Anne Arundel County is the only county that is currently authorized to issue replacement marriage licenses. The Anne Arundel County Circuit Court Clerk's Office advises that it issues approximately 2 to 3 replacement marriage licenses per month. Based upon that information, it is estimated that the State would obtain approximately \$7,200 in additional general fund revenues annually from the replacement license fee established by the bill (2.5 x 24 counties x \$10 x 12 months).

Local Effect: Anne Arundel County revenues would decrease by approximately \$300 annually as a result of the bill's requirement that fees for replacement marriage licenses be paid into the State general fund (2.5 x \$10 x 12 months).

Information Source(s): Judiciary (Administrative Office of the Courts); Prince George's, Montgomery, and Garrett Counties; Department of Legislative Services

Fiscal Note History: First Reader - February 12, 1999
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