

SENATE BILL 143

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2000 Regular Session
0lr0831

By: **Senators Kelley, Teitelbaum, Jimeno, Collins, Stone, Dorman, Mitchell,
Pinsky, Lawlah, and Currie**

Introduced and read first time: January 18, 2000

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Issuance of Marriage Licenses - Location of Marriage**

3 FOR the purpose of repealing a certain territorial limitation on the validity of a
4 marriage license issued by the clerk of a circuit court in the State; altering the
5 required contents of a marriage license; authorizing the clerk of a county that is
6 not the county where the marriage is to be performed to issue a marriage
7 license; providing that a license issued by a clerk of the circuit court for a county
8 in the State is valid statewide; making certain conforming changes; and
9 generally relating to the issuance of marriage licenses.

10 BY repealing and reenacting, with amendments,
11 Article - Family Law
12 Section 2-401, 2-402(d), 2-403(a), and 2-405(a)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 1999 Supplement)

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

17 **Article - Family Law**

18 2-401.

19 (a) An individual may not marry in this State without a license issued by
20 [the] A clerk [for the county in which the marriage is performed].

21 (b) Any individual who violates this section is guilty of a misdemeanor and on
22 conviction is subject to a fine of \$100.

23 2-402.

24 (d) If the parties to be married are not residents of the county where the
25 [marriage ceremony is to be performed] APPLICATION IS MADE, the clerk shall
26 accept, instead of the application specified in subsection (b) of this section, an
27 affidavit from 1 of the parties to be married. The affidavit shall:

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

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

4 2-403.

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

6 "State of Maryland and County of To any individual authorized by the laws of
7 this State to perform a marriage ceremony. You are hereby authorized to join together
8 in matrimony according to the rules and ceremonies of your church, society or
9 religious sect and the laws of this State, or according to the laws of this State, the
10 following individuals:

11 \tab
.....

12 \tab (state here name of intended husband)

13 \tab
.....

14 \tab (state here name of intended wife)

15 Given under my hand and seal of the Circuit Court for, this day of
16 (state here month and year)."

17 (2) A license shall contain:

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

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

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

22 3. the Social Security number of each party who voluntarily
23 discloses the number; and

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

25 1. for 6 months from the effective date and time stated on the
26 license; and

27 2. in the [county in which it is issued] STATE OF MARYLAND.

28 2-405.

29 (a) The clerk [for the county in which a marriage ceremony is to be
30 performed] may issue and deliver a license at the time the application is made.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2000.