

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 919 (Delegate Grosfeld)

Judiciary

Protection of Marriages

This bill provides that a marriage between two consenting adults, regardless of gender, is valid in the State. The bill also alters the definition of “foreign marriage,” as applicable to foreign marriage record books maintained by court clerks, to mean a marriage ceremony that is performed outside the State between two consenting adults in which one or both of the parties were or are citizens of Maryland.

Fiscal Summary

State Effect: The bill is not expected to significantly impact governmental operations or finances.

Local Effect: The bill is not expected to significantly impact governmental operations or finances.

Small Business Effect: Potential minimal.

Analysis

Current Law: Only a marriage between a man and a woman is valid in the State. “Foreign marriage,” as applicable to foreign marriage record books maintained by court clerks, means a marriage ceremony performed outside the State in which one or both of the parties were or are citizens of Maryland.

Background: No other state currently permits same-sex marriages.

State Fiscal Effect: Same-sex partners could gain a variety of rights and benefits if they were permitted to marry, including:

- the right to financial support from the spouse;
- a share of the spouse's medical or life insurance;
- the right to inheritances and survivor's benefits if the spouse dies;
- the option to sue for damages if the spouse is killed by the act of someone else;
- tenancy by the entireties ownership of homes and other property;
- the right to family visits if the spouse is hospitalized;
- the ability to make medical decisions about the spouse;
- Social Security benefits; and
- the right to pay taxes jointly.

The number of same-sex couples who would marry pursuant to the bill is not known. The precise effect of the bill on governmental finances cannot be reliably estimated at this time, but it is assumed that any such effect would not be significant.

Additional Information

Prior Introductions: This bill was introduced during the 1998 session as HB 1259 and during the 1997 session as HB 609. Both bills received an unfavorable report from the House Judiciary Committee.

Cross File: None.

Information Source(s): State Department of Assessments and Taxation, Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2000
drg/jr

Analysis by: Claire E. Rooney

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510