

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 36
Judiciary

(Delegate Boschert)

Family Law - Marriage License Fees - Exemption for Military Personnel

This emergency bill waives applicable marriage license fees if one of the parties to be married is a member of the United States armed forces or a member of the National Guard from any state.

Fiscal Summary

State Effect: The bill would not directly affect State operations or finances.

Local Effect: Minimal decrease in revenue for local jurisdictions.

Small Business Effect: Minimal. The bill could reduce the level of funding that nonprofit domestic violence shelters receive from local governments.

Analysis

Current Law: The basic marriage license fee is \$10, of which \$5 is retained by the clerk of the circuit court and \$5 is paid into the general fund of the county where the fee is assessed. Counties are also authorized to set an additional marriage license fee of up to \$65, as specified in statute, to fund domestic violence programs.

Background: The additional marriage license fees charged by the various counties for funding domestic violence programs are as follows:

• Allegany	\$22
• Anne Arundel	\$45
• Baltimore City	\$25
• Baltimore County	\$25
• Calvert	\$55
• Caroline	\$15
• Carroll	\$25
• Cecil	\$20
• Charles	\$35
• Dorchester	\$25
• Frederick	\$65
• Garrett	\$40
• Harford	\$38.80
• Howard	\$25
• Kent	\$25
• Montgomery	\$45
• Prince George's	\$45
• Queen Anne's	\$25
• Somerset	\$5
• St, Mary's	\$15
• Talbot	\$25
• Washington	\$50
• Wicomico	\$10
• Worcester	\$25

Local Revenues: Caroline County advises that the bill could have a potentially significant impact on its finances and operations due to the numbers of people that may be attracted from Delaware by the fee waiver. However, Prince George's, Howard, and Calvert counties and Baltimore City advise that the bill would have a minimal fiscal impact. DLS believes that the bill will cause a minimal reduction in local revenues. According to estimates from the State Military Department and the Military News Information website, there are 43,000 active military personnel in Maryland. This equates to less than 1% of the Maryland population of 5,296,486. The Department of Health and Mental Hygiene estimates that there were 38,291 marriages in Maryland in 2001. Assuming a small percentage point reduction in the number of marriage licenses for which fees are received, spread out over the 24 counties of the State, the revenue reductions would be minimal.

Small Business Effect: The bill will impact nonprofit domestic violence shelters. These shelters receive the proceeds from the additional fees that counties charge for marriage licenses. The bill would reduce the total county funding received by domestic violence shelters, although the impact to any one shelter is expected to be minimal.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Caroline County, Calvert County, Howard County, Judiciary (Administrative Office of the Courts), Baltimore City, Department of Health and Mental Hygiene, Military Department, U.S. Military News and Information Service, Department of Legislative Services

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