**UNOFFICIAL COPY OF HOUSE BILL 118** 6lr1342 D4 HB 1158/05 - JUD By: Delegates Anderson and Shewell Introduced and read first time: January 16, 2006 Assigned to: Judiciary A BILL ENTITLED 1 AN ACT concerning 2 Family Law - Marriage Licenses - Premarital Preparation Course 3 FOR the purpose of altering the waiting period for a marriage license to become 4 effective if the parties do not submit a certain certificate verifying that the 5 parties have completed a certain premarital preparation course; and generally 6 relating to marriage licenses. 7 BY repealing and reenacting, with amendments, Article - Family Law 8 9 Section 2-405 Annotated Code of Maryland 10 (2004 Replacement Volume and 2005 Supplement) 11 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 13 MARYLAND, That the Laws of Maryland read as follows: 14 **Article - Family Law** 15 2-405. 16 The clerk for the county in which a marriage ceremony is to be performed (a) may issue and deliver a license at the time the application is made. 18 (b) A license may be issued only at the office of the clerk during regular office 19 hours. 20 If either party to be married is known to be of an age where the (c) (1) 21 parental or guardian's consent and oath, or the licensed physician's certificate, 22 required by § 2-301 of this title, is required, the clerk shall obtain the consent and 23 oath or the certificate before issuing the license. 24 (2) (i) The clerk's record required under this title shall include:

the consent and oath required by § 2-301 of this title, if

1.

25

26 written; or

## **UNOFFICIAL COPY OF HOUSE BILL 118**

1 2	given and ma	ade in per	rson.	2.	the fact that consent was given and an oath was made, if
3 4	title may not	be made	(ii) a part of		nsed physician's certificate required by § 2-301 of this s record.
7		ertificate.	itle, the c Except of	lerk who	al has been issued a license in accordance with the issued the license shall seal the licensed of the court, the licensed physician's
9 10	(d) effective:	(1)	Except a	s provide	ed in paragraph (2) of this subsection, a license is not
13 14	COMPLETI	ON VER	TIES TO IFYING	BE MAR THAT T	m. on the second calendar day after the license is RIED SUBMIT TO THE CLERK A CERTIFICATE OF HE PARTIES HAVE COMPLETED A PREMARITAL ETS THE REQUIREMENTS OF § 2-404.1 OF THIS
18 19	CERTIFICA	TE OF C	COMPLE PARATI	S TO BE TION VI	6 A.M. ON THE 30TH CALENDAR DAY AFTER THE LICENSE MARRIED DO NOT SUBMIT TO THE CLERK A ERIFYING THAT THE PARTIES HAVE COMPLETED A RSE THAT MEETS THE REQUIREMENTS OF § 2-404.1
23	1 (2) For good cause shown, a judge of the circuit court for the county in 2 which the application is made may sign an authorization for a license to become 3 effective at a time before the waiting period expires, as stated in the authorization, if 4 1 of the parties to be married is:				
25			(i)	a residen	t of this State; or
26			(ii)	a membe	er of the United States armed forces.
	(e) If, during the questioning of an applicant for a license, the clerk finds that there is a legal reason why the applicants should not be married, the clerk shall withhold the license unless ordered by the court to issue the license.				
30	(f)	A licens	e may be	delivered	l personally or by mail to:
31		(1)	either of	the partic	es to be married; or
32 33	delivery.	(2)	any pers	on authoi	rized in writing by either of the parties to accept
34 35	(g) clerk:	(1)	The Dep	artment o	of Health and Mental Hygiene shall provide to each
36			(i)	birth con	trol information; and

12 October 1, 2006.

## **UNOFFICIAL COPY OF HOUSE BILL 118**

1 (ii) a list of the family planning clinics located in the county where 2 the license is issued. 3 When the clerk issues a license, the clerk shall make the information (2) 4 and list available to each applicant for a license. 5 (h) (1) A clerk may not predate an application for a license. (2) A clerk who violates any provision of this subsection is guilty of a 6 7 misdemeanor and on conviction is subject: 8 (i) for a first offense, to a fine not exceeding \$100; and 9 for each subsequent offense, to a fine not exceeding \$500 or (ii) 10 imprisonment not exceeding 90 days or both. 11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect