

Department of Legislative Services  
 Maryland General Assembly  
 2006 Session

FISCAL AND POLICY NOTE  
 Revised

House Bill 606

(Delegate Kach)

Judiciary

Judicial Proceedings

**Baltimore County Historical Trust - Distribution of Marriage Ceremony Fee**

This bill requires that, in Baltimore County, the clerk must pay the remaining \$15 of the marriage ceremony fee to the Baltimore County Historical Trust, instead of \$5 of the remaining fee.

**Fiscal Summary**

**State Effect:** General fund revenue loss of \$14,000 in FY 2007. Out-years reflect annualization and a constant number of marriage ceremonies.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
GF Revenue	(\$14,000)	(\$18,700)	(\$18,700)	(\$18,700)	(\$18,700)
Expenditure	\$0	\$0	\$0	\$0	\$0
Net Effect	(\$14,000)	(\$18,700)	(\$18,700)	(\$18,700)	(\$18,700)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** County revenues increase \$14,000 in FY 2007. Annualized revenues increase \$18,700, based on FY 2005 license issuances. Revenue impact would vary depending on the number of licenses issued.

**Small Business Effect:** None.

**Analysis**

**Current Law:** A judge, clerk, or deputy clerk may not receive any fee, remuneration, or gift for performing a marriage ceremony other than the fee specified in statute. Except for Cecil County, a Maryland judge's nonrefundable fee for performing a marriage

ceremony is \$25 and the clerk's or deputy clerk's fee for performing a marriage ceremony is \$25. In Cecil County, the judge's fee and the clerk's or deputy clerk's fee is \$30. Ten dollars of this fee goes to each county's general fund. The clerk retains the remainder. In some counties, a portion of the remaining fee is paid to a historical society. From the remaining \$15 of the marriage ceremony fee in Baltimore County, \$5 of each fee must be paid to the Baltimore County Historical Trust, Inc.

The Baltimore County Historical Trust is required to report annually to the Baltimore County Executive and the Maryland Historical Trust on the use of the funds, including a detailed record of expenditures and receipts of all funds collected before July 1, 1987. The Baltimore County Executive or the Maryland Historical Trust may request an audit of the financial records of the Baltimore County Historical Trust at any time.

The disposition of remaining fees in other jurisdictions is as follows:

<u>County</u>	<u>Remaining Fee Disposition</u>	<u>Recipient</u>
Allegany	\$2 quarterly	Allegany County Historical Society
Anne Arundel	\$4	Anne Arundel County Trust for Preservation
Cecil	\$5	Cecil Historical Trust
	\$5	Historical Society of Cecil County
Garrett	\$5	Garrett County Historical Trust
Montgomery	\$2	Montgomery County Historical Society
	\$3	Montgomery County Courthouse Facilities
Prince George's	\$3	Prince George's County Heritage
Harford	\$10	Historical Society of Harford County

**State Revenues:** State general fund revenues could be reduced by \$14,025, in fiscal 2007, based on the 1,870 marriage ceremonies performed in Baltimore County in fiscal 2005, and accounting for the October 1 effective date of the bill. Assuming a constant number of marriage ceremonies, annualized revenue loss would be \$18,700. Under the bill, \$10 of the remaining \$15 fee that would have been retained by the Clerk of the Court will be allocated to the Baltimore County Historical Society instead. The amount of revenue loss would vary depending on the number of ceremonies performed in a fiscal year.

**Local Revenues:** Under the bill, the \$15 would be allocated to the Baltimore County Historical Trust instead of the \$5 allocated under current law. Baltimore County revenues could increase by \$14,025, based on 1,870 marriage licenses issued in Baltimore County in fiscal 2005 and accounting for the bill's October 1 effective date. Based on fiscal 2005 marriage license issuances, the annualized increase in revenue would be \$18,700. The revenue increase would vary depending on the number of licenses issued in a fiscal year. *Baltimore County did not respond to a request for information on the fiscal impact of this bill.*

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Baltimore County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 14, 2006  
ncs/jr Revised - House Third Reader - March 21, 2006

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