HOUSE BILL 646

D4

7lr2063

By: **Delegate Dumais**
Introduced and read first time: February 8, 2007
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Marriage License Applications – Disclosure of a Social Security Number**

3 FOR the purpose of establishing a certain criminal penalty for an intentional
4   disclosure of a Social Security number as part of the records of a marriage
5   license application; and generally relating to the disclosure of Social Security
6   numbers.

7 BY repealing and reenacting, with amendments,
8   Article – Family Law
9   Section 2–402
10   Annotated Code of Maryland
11   (2006 Replacement Volume)

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

Article – Family Law

15 2–402.

16   (a)   An applicant for a license may apply to the clerk only at the office of the
17 clerk during regular office hours.

18   (b)   Except as provided in subsections (d) and (e) of this section, to apply for a
19 license, 1 of the parties to be married shall:

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
   [Brackets] indicate matter deleted from existing law.

1   (1)   appear before the clerk and give, under oath, the following
2   information, which shall be placed on an application form by the clerk:

3   (i)   the full name of each party;

4   (ii)   the place of residence of each party;

5   (iii)   the age of each party;

6   (iv)   whether the parties are related by blood or marriage and, if
7   so, in which degree of relationship;

8   (v)   the marital status of each party; and

9   (vi)   whether either party was married previously, and the date
10   and place of each death or judicial determination that ended any former marriage;

11   (2)   sign the application form; and

12   (3)   provide the clerk with the Social Security number of each party
13   who has a Social Security number.

14   (c)   The Social Security numbers of the parties:

15   (1)   shall be included in the electronic file for the marriage license
16   application; and

17   (2)   except as provided in § 10–617 of the State Government Article,
18   may not be disclosed as part of the public record of the marriage license application.

19   **(D)   A PERSON WHO INTENTIONALLY DISCLOSES A SOCIAL SECURITY**
20   **NUMBER IN VIOLATION OF SUBSECTION (C) OF THIS SECTION IS GUILTY OF A**
21   **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING**
22   **$1,000.**

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

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

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

3   **[**(e)**] (F)**   In Cecil County both parties to be married shall appear together
4 before the clerk to apply for a license.

5   **[**(f)**] (G)**   Until a license becomes effective, a clerk may not disclose the fact
6 that an application for a license has been made except to the parent or guardian of a
7 party to be married.

8   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2007.