

**Department of Legislative Services**  
2014 Session

**FISCAL AND POLICY NOTE**

House Bill 542  
Judiciary

(Delegate Luedtke)

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**Family Law - Performance of Marriage Ceremonies**

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This bill permits an individual who has been temporarily authorized by a clerk of a circuit court to perform a specific marriage ceremony to perform a marriage ceremony in the State. The authority of the individual expires when the individual returns the marriage certificate to the clerk as required under existing statutory provisions. The Court of Appeals may adopt rules to implement the bill's provisions.

The bill takes effect July 1, 2014.

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**Fiscal Summary**

**State Effect:** Any change in State activities will not materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** A marriage ceremony may be performed in Maryland by any religious official of a body or order authorized by the rules and customs or that body or order to perform a marriage ceremony, a clerk of court, a deputy clerk of court designated by the county administrative judge for the county circuit court, or a judge. Within six months after a license becomes effective, any authorized official may perform the marriage ceremony of the individuals named in the license. An individual may not perform a marriage ceremony unless the individual is authorized to do so. A violator is guilty of a misdemeanor and subject to a fine of \$500.

An authorized individual who performs a marriage ceremony must hand one marriage certificate to the individuals who married and return, within five days from the date of the marriage ceremony, the other marriage certificate to the clerk who issued the applicable license.

**Background:** The District of Columbia recently enacted similar legislation. The “Marriage Officiant Amendment Act of 2013” allows an individual to be designated as a “temporary officiant” in order to perform a marriage in the District of Columbia.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 17 (Senator Montgomery, *et al.*) - Judicial Proceedings.

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

**Fiscal Note History:** First Reader - February 19, 2014  
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