

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 61

(Chair, Judicial Proceedings Committee, *et al.*) (By
Request - Maryland Judicial Conference)

Judicial Proceedings

Judiciary

**Active Armed Forces Member - Exemption From Payment of Fees for Certain
Court Records**

This bill extends to *active-duty* members of the U.S. Armed Forces, the exemption from paying fees in order to obtain (1) a copy of any court paper or record if the copy is to be used in connection with a claim against the U.S. government and (2) a copy of a member's marriage record that is requested by the member. The bill also requires a clerk to provide without charge a copy of a marriage record of an *active-duty* member of the U.S. Armed Forces or of a surviving spouse or child of the member that is requested, if the copy is to be used in connection with a claim for a dependent or beneficiary of the member.

Fiscal Summary

State Effect: The bill does not materially impact State finances.

Local Effect: The bill does not materially impact local finances.

Small Business Effect: None.

Analysis

Current Law: A clerk of court must provide without charge:

- a copy of any paper or record in the clerk's office that is requested by a former member of the U.S. Armed Forces, in person, or by the U.S. government, if the copy is to be used in connection with a claim of the member against the U.S. government;

- a copy of a marriage record of a former member of the U.S. Armed Forces that is requested by the member; and
- a copy of a marriage record of a former member of the U.S. Armed Forces or of a surviving spouse or child of the member that is requested, if the copy is to be used in connection with a claim for a dependent or beneficiary of the member.

Background: Pursuant to the most recent schedules of charges issued by the District Court and the State Court Administrator, a clerk of court must generally collect 50 cents per page for copies.

Additional Information

Prior Introductions: None.

Cross File: HB 50 (Chair, Judiciary Committee)(By Request - Maryland Judicial Conference) - Judiciary.

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

Fiscal Note History: First Reader - January 29, 2015
md/kdm

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