

HOUSE BILL 369

D4

2lr1312
CF SB 377

By: **Delegate Belcastro**

Introduced and read first time: January 19, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Marriage Records – Name Change**

3 FOR the purpose of establishing certain procedures for the issuance of a new marriage
4 record when the name of a party to the marriage has been changed; and generally
5 relating to name changes and marriage records.

6 BY adding to
7 Article – Family Law
8 Section 2–504
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2021 Supplement)

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

13 **Article – Family Law**

14 **2–504.**

15 **(A) (1) ON WRITTEN REQUEST, MADE UNDER PENALTY OF PERJURY, OF**
16 **BOTH PARTIES TO A MARRIAGE, THE CLERK FOR THE COUNTY THAT ISSUED THE**
17 **MARRIAGE LICENSE SHALL ISSUE A NEW MARRIAGE RECORD IN ACCORDANCE WITH**
18 **THIS SECTION IF THE CLERK RECEIVED SATISFACTORY PROOF THAT A COURT OF**
19 **COMPETENT JURISDICTION, REGARDLESS OF LOCATION, HAS ISSUED AN ORDER**
20 **FOR A CHANGE OF NAME FOR A PARTY TO THE MARRIAGE.**

21 **(2) ON THE PRESENTATION OF A DEATH CERTIFICATE FOR A PARTY**
22 **TO A MARRIAGE, THE CLERK FOR THE COUNTY THAT ISSUED THE MARRIAGE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 LICENSE SHALL ACCEPT A REQUEST MADE UNDER PARAGRAPH (1) OF THIS
2 SUBSECTION FROM THE OTHER PARTY TO THE MARRIAGE.

3 (3) ON THE PRESENTATION OF AN ORDER OF THE COURT
4 INSTRUCTING A MARRIAGE RECORD TO BE CHANGED, THE CLERK FOR THE COUNTY
5 THAT ISSUED THE MARRIAGE LICENSE SHALL ACCEPT A REQUEST UNDER
6 PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A WRITTEN REQUEST OF BOTH
7 PARTIES.

8 (B) (1) A NEW MARRIAGE RECORD ISSUED UNDER THIS SECTION SHALL:

9 (I) IF THE ORIGINAL MARRIAGE RECORD DESIGNATES THE
10 GENDER OF THE PARTIES, INCLUDING BY USING THE TERMS "BRIDE", "GROOM",
11 "WIFE", OR "HUSBAND", DESIGNATE THE PARTIES USING GENDER-NEUTRAL
12 LANGUAGE; AND

13 (II) IF THE NAME OF A PARTY TO THE MARRIAGE HAS BEEN
14 CHANGED AT ANY TIME, REFLECT THE NAME THAT WAS MOST RECENTLY
15 ESTABLISHED AND FOR WHICH A CERTIFIED ORDER OF CHANGE OF NAME OR OTHER
16 APPROPRIATE EVIDENCE HAS BEEN SUBMITTED TO THE CLERK.

17 (2) A NEW MARRIAGE RECORD ISSUED UNDER SUBSECTION (A) OF
18 THIS SECTION MAY NOT:

19 (I) BE MARKED "AMENDED"; OR

20 (II) SHOW ON ITS FACE THAT A CHANGE HAS BEEN MADE TO:

21 1. A NAME OF A PARTY; OR

22 2. IF APPLICABLE, A GENDER DESIGNATION.

23 (C) (1) IF A NEW MARRIAGE RECORD IS ISSUED, THE CLERK SHALL:

24 (I) SUBSTITUTE THE NEW MARRIAGE RECORD FOR ANY PAPER
25 OR ELECTRONIC MARRIAGE RECORD THEN ON FILE; AND

26 (II) REPORT AND TRANSMIT A COPY OF THE NEW MARRIAGE
27 RECORD TO THE SECRETARY OF HEALTH IN ACCORDANCE WITH § 2-503 OF THIS
28 TITLE.

29 (2) AFTER A MARRIAGE RECORD IS CHANGED UNDER THIS SECTION,
30 ANY CERTIFIED COPY OF THE MARRIAGE RECORD THAT IS ISSUED SHALL BE A COPY

1 OF THE NEW MARRIAGE RECORD, UNLESS A COURT OF COMPETENT JURISDICTION
2 ORDERS THE ISSUANCE OF A COPY OF THE ORIGINAL MARRIAGE RECORD.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.