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**To:** Members of The Judicial Proceedings Committee

**From:** Family Law Section Council (FLSC)

**Date:** February 6, 2026

**Subject:** Senate Bill 355:  
Family Law – Marriage License Applications – Appearance in Court

**Position:** **FAVORABLE**

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The Maryland State Bar Association (MSBA) FLSC **supports Senate Bill 355.**

This testimony is submitted on behalf of the Family Law Section Council (“FLSC”) of the Maryland State Bar Association (“MSBA”). The FLSC is the formal representative of the Family Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family law and, at the same time, tries to bring together the members of the MSBA who are concerned with family laws and in reforms and improvements in such laws through legislation or otherwise. The FLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,100 attorney members.

The FLSC agrees with the public policy initiative behind this legislation: to prevent fraud in the application for marriage licenses. The clerks of court in each county will be better able to ferret out attempted fraud if both parties to the marriage appear to make application. This requirement could also protect very young brides/grooms and those individuals who are victims of human trafficking.

However, the FLSC did have concerns that this new requirement will have unintended consequences of creating a barrier to marriage for couples for which one of them is temporarily unable to appear in court for legitimate reasons, such as hospitalization, travel or deployment. The FLSC has reviewed the Amendments to SB 355 which were finalized on February 2, 2026, and we believe that those amendments address our concerns in a comprehensive manner. Thus, SB 355 creates a positive change in the law to require both individuals to appear, or provide an affidavit as to their identity and conformity with the procedures that ensure that those Marylanders who enter into the legal and solemn contract of marriage are doing so knowingly and voluntarily.



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For the reason(s) stated above, the MSBA FLSC **supports Senate Bill 355 as amended** and urges a favorable committee report.

Should you have any questions, please contact Michelle Smith at 410-280-1700 or [msmith@lawannapolis.com](mailto:msmith@lawannapolis.com).

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