

HOUSE BILL 446

D4

2lr2133

By: **Delegate Forbes**

Introduced and read first time: January 20, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Disposition of Marriage Ceremony Fee**

3 FOR the purpose of altering the distribution of the fee for performing a marriage ceremony
4 in Baltimore County to require the clerk of the circuit court to pay the entire amount
5 to the Baltimore County Historical Trust, Inc.; and generally relating to the
6 distribution of marriage ceremony fees in Baltimore County.

7 BY repealing and reenacting, without amendments,
8 Article – Family Law
9 Section 2–410(a)(1) and (b)
10 Annotated Code of Maryland
11 (2019 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Family Law
14 Section 2–410(a)(2) and (5)
15 Annotated Code of Maryland
16 (2019 Replacement Volume and 2021 Supplement)

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

19 **Article – Family Law**

20 2–410.

21 (a) (1) Except as provided in this subsection, a judge, clerk, or deputy clerk
22 may not receive any fee, remuneration, or gift for performing a marriage ceremony.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) (i) 1. A Maryland judge's fee for performing a marriage ceremony is a nonrefundable fee, payable to the clerk before a marriage license is issued, in the amount of \$30 in Cecil County and \$25 in any other county.

2. The clerk's or deputy clerk's fee for performing a marriage ceremony is \$30 in Cecil County and \$25 in any other county.

(ii) Except as provided in [paragraph] **PARAGRAPHS (5) AND (10)** of this subsection, each month the clerk shall pay \$10 of each fee collected under this section into the general fund of the county.

(iii) Except as otherwise provided in this subsection, the clerk shall retain the remainder of each fee and deposit and disburse it in the same manner as other fees collected by the clerk.

(5) (i) In Baltimore County, the clerk shall pay the [remaining \$15] **ENTIRE \$25 FEE** to the Baltimore County Historical Trust, Inc.

(ii) The Baltimore County Historical Trust, Inc. shall report annually to the Baltimore County Executive and the Maryland Historical Trust on the use of all funds received under this section, including a detailed record of the expenditures and receipts of all funds collected before July 1, 1987.

(iii) The Baltimore County Executive or the Maryland Historical Trust may request at any time an audit of the financial records of the Baltimore County Historical Trust, Inc.

(b) (1) A clerk or deputy clerk may not violate any provision of this section.

(2) A clerk or deputy clerk who violates the provisions of this section is guilty of neglect of duty and on conviction is subject to removal from office.

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