

**A011-0708**

10 **AN ACT CONCERNING**  
20 Family Law - Marriage

30 FOR the purpose of providing the intrinsic benefits of licensed marriage equally to all citizens of  
40 the state of Maryland.

50 BY repealing and reenacting, with amendments  
60 Article – Family Law  
70 Title 2 – Marriage  
80 Sections 1-3  
90 Annotated Code of Maryland

100 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE, That  
110 the Laws of Maryland reads as follows:

120 Title 2. ~~Marriage~~ CIVIL UNION

130 Subtitle 1. Definitions

140 § 2-101. Definitions

- 150 a) In general.- In this title the following words have the meanings indicated.  
160 b) Authorized official.- "Authorized official" means an individual authorized by  
170 the laws of this State to perform a marriage ceremony  
180 (c) Clerk.- "Clerk" means a clerk of the circuit court for a county  
190 (d) License.- "License" means a license to ~~marry~~ UNIFY issued in this State

200 Subtitle 2. Valid ~~Marriages~~ UNIONS; Void ~~Marriages~~ UNIONS.

210 § 2-201. Valid ~~Marriages~~ UNIONS

220 Only a ~~marriage~~ UNION between ~~a man and a woman~~ TWO PEOPLE is valid  
230 in this State.

240 § 2-202. ~~Marriages~~ UNIONS within certain degrees of relationship void; penalties.

250 (a) In general.- Any ~~marriage~~ UNION performed in this State that is prohibited  
260 by this section is void.

270 (b) ~~Marriages~~ UNIONS within 3 degrees of direct lineal consanguinity or  
280 within first degree of collateral consanguinity prohibited; penalties.

290 (1) A ~~man~~ PERSON may not ~~marry~~ UNIFY WITH his/HER:

- 300 (i) ~~grandmother~~ GRANDPARENT;  
310 (ii) ~~mother~~ PARENT;  
320 (iii) ~~daughter~~ CHILD;  
330 (iv) ~~sister~~ SIBLING; or  
340 (v) ~~granddaughter~~ GRANDCHILD.

350 (2) A ~~woman~~ may not ~~marry~~ her;

- 360 (i) ~~grandfather~~;  
370 (ii) ~~father~~;  
380 (iii) ~~son~~;  
390 (iv) ~~brother~~; or  
400 (v) ~~grandson~~

410 (3) An individual who violates any provision of this  
420 subsection is guilty of a misdemeanor and on conviction is  
430 subject to a fine of \$1,500.

440 (c) Certain marriages within other degrees of affinity or consanguinity  
450 prohibited; penalties.

460 (1) A ~~man~~ PERSON may not ~~marry~~ UNIFY WITH his/HER:

- 470 (i) ~~grandfather's wife~~ GRANDPARENT'S SPOUSE;  
480 (ii) ~~wife's grandmother~~ SPOUSE'S  
490 GRANDPARENTS;

- 500 (iii) ~~father's sister~~ PARENT'S SIBLING;
- 510 (iv) ~~mother's sister~~ SIBLING'S CHILD;
- 520 (v) ~~stepmother~~ STEPPARENT;
- 530 (vi) ~~wife's mother~~ SPOUSE'S PARENT;
- 540 (vii) ~~wife's daughter~~ SPOUSE'S CHILD;
- 550 (viii) ~~son's wife~~ CHILD'S SPOUSE;
- 560 (ix) ~~grandson's wife~~ GRANDCHILD'S SPOUSE; OR
- 570 (x) ~~wife's granddaughter~~ SPOUSE'S GRANDCHILD;
- 580 (xi) ~~brother's daughter~~; or
- 590 (xii) ~~sister's daughter~~.

600 (2) ~~A woman may not marry her:~~

- 610 (i) ~~grandmother's husband~~;
- 620 (ii) ~~husband's grandfather~~;
- 630 (iii) ~~father's brother~~;
- 640 (iv) ~~mother's brother~~;
- 650 (v) ~~stepfather~~;
- 660 (vi) ~~husband's father~~;
- 670 (vii) ~~husband's son~~;
- 680 (viii) ~~daughter's husband~~
- 690 (ix) ~~husband's grandson~~;
- 700 (x) ~~brother's son~~;
- 710 (xi) ~~sister's son~~; or
- 720 (xii) ~~granddaughters husband~~.

730 (3) An individual who violates any provision of this  
740 subsection is guilty of a misdemeanor and on conviction is  
750 subject to a fine of \$500.

760 Subtitle 3.

- 770 § 2-301 (a) An individual 16 or 17 years old may not ~~marry~~ UNIFY unless:
- 780 (1) the individual has the consent of a parent or guardian and the
  - 790 parent or guardian swears that the individual is at least 16 years old; or
  - 800 (2) if the individual does not have the consent of a parent or guardian,
  - 810 either party to be ~~married~~ UNIFIED gives the clerk a certificate from a
  - 820 licensed physician stating that the physician has examined the woman
  - 830 to be ~~married~~ UNIFIED and has found that she is pregnant or has given
  - 840 birth to a child.
- 850 (b) An individual 15 years old may not ~~marry~~ UNIFY unless:
- 860 (1) the individual has the consent of a parent or guardian; and
  - 870 (2) either party to be ~~married~~ UNIFIED gives the clerk a certificate
  - 880 from a licensed physician stating that the physician has examined the
  - 890 woman to be ~~married~~ UNIFIED and has found that she is pregnant or
  - 900 has given birth to a child.
- 910 (c) An individual under the age of 15 may not ~~marry~~ UNIFY.

920 § 2-302. A person who violates any provision of this subtitle is guilty of a misdemeanor  
930 and on conviction is subject to a fine not exceeding \$250.

940 Subtitle 4

950 § 2-401. (a) An individual may not ~~marry~~ UNIFY in this State without a license issued  
960 by the clerk for the county in which the ~~marriage~~ UNIFICATION is performed.

970 (b) Any individual who violates this section is guilty of a misdemeanor and on  
980 conviction is subject to a fine of \$100.

990 § 2-402. (a) An applicant for a license may apply to the clerk only at the office of the  
1000 clerk during regular office hours.

1010 (b) Except as provided in subsections (d) and (e) of this section, to apply for a  
1020 license, 1 of the parties to be ~~married~~ UNIFIED shall:

1030 (1) appear before the clerk and give, under oath, the following  
1040 information, which shall be placed on an application form by the clerk:

1050 (i) the full name of each party;

1060 (ii) the place of residence of each party;

1070 (iii) the age of each party;

1080 (iv) whether the parties are related by blood or ~~marriage~~

1090 UNIFICATION and, if so, in which degree of relationship;

1100 (v) the ~~marital~~ UNIFACATION status of each party; and

1110 (vi) whether either party was ~~married~~ UNIFIED previously,

1120 and the date and place of each death or judicial determination

1130 that ended any former ~~marriage~~ UNIFICATION;

1140 (2) sign the application form; and

1150 (3) provide the clerk with the Social Security number of each party

1160 who has a Social Security number.

1170 (c) The Social Security numbers of the parties:

1180 (1) shall be included in the electronic file for the ~~marriage~~

1190 UNIFICATION license application; and

1200 (2) except as provided in § 10-617 of the State Government Article,

1210 may not be disclosed as part of the public record of the ~~marriage~~

1220 UNIFICATION license application.

1230 (d) If the parties to be ~~married~~ UNIFIED are not residents of the county

1240 where the ~~marriage~~ UNIFICATION ceremony is to be performed, the clerk shall

1250 accept, instead of the application specified in subsection (b) of this section, an

1260 affidavit from 1 of the parties to be ~~married~~ UNIFIED. The affidavit shall:

1270 (1) contain the information required by subsection (b) of

1280 this section; and

1290 (2) be sworn to under oath before a clerk or other comparable official

1300 in the county, state, province, or country where the party resides.

1310 (e) In Cecil County both parties to be ~~married~~ UNIFIED shall appear

1320 together before the clerk to apply for a license.

1330 (f) Until a license becomes effective, a clerk may not disclose the fact that an

1340 application for a license has been made except to the parent or guardian of a

1350 party to be ~~married~~ UNIFIED.

1360 § 2-403. (a) (1) A license shall read substantially as follows:

1370 “State of Maryland and County of ..... To any individual authorized

1380 by the laws of this State to perform a ~~marriage~~ UNIFICATION

1390 ceremony. You are hereby authorized to join together in ~~matrimony~~

1400 CIVIL UNION according to ~~the rules and ceremonies of your church,~~

1410 ~~society or religious sect and the laws of this State, or according to the~~

1420 laws of this State, the following individuals:

1430

1440 (state here name of intended ~~husband~~ SPOUSE)

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1460 (state here name of intended ~~wife~~ SPOUSE)

1470 Given under my hand and seal of the Circuit Court for ....., This

1480 ..... Day of .....(state here month and year).”

1490 (2) A license shall contain:

1500 (i) appropriate spaces in which the clerk shall enter:

1510 1. the relationship of the parties to be

1520 ~~married~~ UNIFIED, if any; and

1530 2. as to each party, the name, age, state or foreign

1540 country in which born, residence, and ~~marital~~

1550 UNIFICATION status (single, widowed, or

1560 divorced); and

1570 (ii) a statement that the license is valid only:

1580 1. for 6 months from the effective date and time

1590 stated on the license; and

1600 2. in the county in which it is issued.

1610 (b) (1) Attached to a license shall be 2 certificate forms that:

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(i) read, "I hereby certify that on this ..... day of .....  
(state here month and year), ..... (state here time), at .....  
(state here location), in accordance with the license issued by  
the Clerk of the Circuit Court for ..... (state here  
jurisdiction), I united in ~~marriage~~ UNIFICATION the  
following individuals:

(state here name of ~~husband~~ SPOUSE)

(state here name of ~~wife~~ SPOUSE)

(ii) restate all information concerning the individuals ~~married~~  
UNIFIED that is stated on the ~~marriage~~ UNIFICATION  
license; and  
(iii) provide a space for the signature of the authorized  
official who performs the ~~marriage~~ UNIFICATION ceremony.  
~~(2) Attached to a license, in the case of a Society of Friends marriage~~  
~~ceremony, shall be 2 certificate forms that:~~

(i) read, "~~We hereby certify that on this ..... day of .....  
(state here month and year), ..... (state here time), at .....  
(state here location), we, ..... (state here name of  
husband) and ..... (state here name of wife) were united  
in marriage in accordance with the ceremony of the Society of  
Friends and in accordance with the license issued by the Clerk  
of the Circuit Court for ..... (state here jurisdiction);~~  
~~(ii) restate all information concerning the individuals married  
that is stated on the marriage license; and~~  
~~(iii) provide spaces for the signatures of the parties and the 2  
overseers of the marriage ceremony.~~

- § 2-404. (a) (1) The fee for a license is \$10.  
(2) The clerk shall:  
(i) retain \$5 of the fee; and  
(ii) pay \$5 of the fee into the general fund of the county.  
(3) (i) A party to be ~~married~~ UNIFIED may obtain a replacement  
for a valid ~~marriage~~ UNIFICATION license while the license  
is valid.  
(ii) The fee for a replacement license is \$10, payable into the  
General Fund of the State.
- (b) Except as otherwise provided in this section:  
(1) any county or group of 2 or more counties may set an additional  
fee of up to \$25 for each license; and  
(2) the proceeds shall be used to fund domestic violence programs.
- (c) In Anne Arundel County:  
(1) the County Council may set by ordinance an additional fee of up to  
\$45 for each license;  
(2) the clerk shall pay the proceeds from the additional fee to the  
general fund of the county each month; and  
(3) the County Council shall distribute the proceeds to promote or  
fund domestic violence programs.
- (d) In Baltimore City:  
(1) the Mayor and City Council may set by ordinance an additional  
fee as authorized in this section for each license;  
(2) the clerk shall pay the proceeds from the additional fee to the M  
Mayor and City Council each month; and  
(3) the proceeds shall be used to fund domestic violence programs that  
have 24-hour intake ability.
- (e) In Baltimore County:

2180 (1) in addition to the fee authorized under subsection  
2190 (b) (1) of this section, the County Council may set by resolution an  
2200 additional fee of up to \$15 for each license;  
2210 (2) the clerk shall pay the proceeds from the additional fee to the  
2220 Director of Finance of the county each month;  
2230 (3) the proceeds, in addition to designated federal, State, and county  
2240 funds, shall be used to fund battered spouse shelters and domestic  
2250 violence programs established under Title 4, Subtitle 5 of this article;  
2260 (4) the County Executive shall prepare and make available an annual  
2270 report on or before December 1 of each year on the disposition of fees  
2280 collected under this subsection during the previous fiscal year.  
2290 (f) In Calvert County:  
2300 (1) the Board of County Commissioners may set an additional fee of  
2310 up to \$55 for each license;  
2320 (2) the clerk shall pay the proceeds from the additional fee to the  
2330 County Commissioners each month; and  
2340 (3) the proceeds shall be used to fund battered spouse shelters and  
2350 domestic violence programs in Calvert County.  
2360 (g) In Cecil County:  
2370 (1) the Board of County Commissioners shall set an additional fee of  
2380 \$20 for each license;  
2390 (2) the clerk shall pay the proceeds from the additional fee to the  
2400 County Treasurer each month;  
2410 (3) the proceeds in addition to designated federal funds and county  
2420 funds shall be given to the Cecil County Department of Social Services  
2430 Advisory Board to be used to fund battered spouse shelters and  
2440 domestic violence programs; and  
2450 (4) the Cecil County Department of Social Services Advisory Board  
2460 shall prepare and make available to the Board of County  
2470 Commissioners an annual report on or before December 1 of each year  
2480 of the disposition of fees collected under this subsection during the  
2490 previous fiscal year.  
2500 (h) In Charles County:  
2510 (1) the Board of County Commissioners may set an additional fee of  
2520 up to \$35 for each license;  
2530 (2) the clerk shall pay the proceeds from the additional fee to the  
2540 County Commissioners each month; and  
2550 (3) the proceeds shall be used to fund domestic violence programs  
2560 located in Charles County.  
2570 (i) In Frederick County:  
2580 (1) the Board of County Commissioners may set an additional fee, in  
2590 an amount not to exceed \$65, for each license;  
2600 (2) the clerk shall pay the proceeds from the additional fee to the  
2610 County Commissioners each month; and  
2620 (3) the proceeds, in addition to designated federal, State, and county  
2630 funds, shall be used to fund domestic violence programs established  
2640 under Title 4, Subtitle 5 of this article.  
2650 (j) In Garrett County:  
2660 (1) the Board of County Commissioners may set an additional fee of  
2670 up to \$40 for each license;  
2680 (2) the clerk shall pay the proceeds from the additional fee to the  
2690 County Commissioners each month; and  
2700 (3) the proceeds shall be used to fund domestic violence programs in  
2710 Garrett County.  
2720 (k) In Harford County:  
2730 (1) the County Council may set by resolution an additional fee of up

2740 to \$40 for each license;  
2750 (2) the clerk shall:  
2760 (i) retain 3% of the proceeds from the additional fee for  
2770 processing;  
2780 (ii) pay \$5 of the proceeds from each license to the Harford  
2790 County Sexual Assault/Spousal Abuse Resource Center, Inc.;  
2800 (iii) pay the remaining proceeds to the Treasurer of Harford  
2810 County each month;  
2820 (3) the county:  
2830 (i) shall use the proceeds, in addition to designated federal,  
2840 State, and county funds, to fund battered spouse shelters and  
2850 domestic violence programs; and  
2860 (ii) may make in-kind contributions to battered spouse and  
2870 domestic violence programs; and  
2880 (4) the County Executive shall prepare and make available an annual  
2890 report on or before December 1 of each year on the disposition of fees  
2900 collected under this subsection during the previous fiscal year.  
2910 (l) In Howard County:  
2920 (1) the County Council may set by resolution an additional fee of up  
2930 to \$50 for each license;  
2940 (2) the clerk shall pay the proceeds from the additional fee to the  
2950 Director of Finance of the county each month;  
2960 (3) the proceeds, in addition to designated federal, State, and county  
2970 funds, shall be used to fund battered spouse shelters and domestic  
2980 violence programs established under Title 4, Subtitle 5 of this article;  
2990 and  
3000 (4) the County Executive shall prepare and make available an annual  
3010 report on or before December 1 of each year on the disposition of fees  
3020 collected under this subsection during the previous fiscal year.  
3030 (m) In Montgomery County:  
3040 (1) the County Council may set by resolution an additional fee of up  
3050 to \$45 for each license;  
3060 (2) the clerk shall pay the proceeds from the additional fee to the  
3070 Director of Finance of the county each month;  
3080 (3) the proceeds, in addition to designated federal, State, and county  
3090 funds, shall be used to fund battered spouse shelters and domestic  
3100 violence programs; and  
3110 (4) the County Executive shall prepare and make available an annual  
3120 report on or before December 1 of each year on the disposition of fees  
3130 collected under this subsection during the previous fiscal year.  
3140 (n) In Prince George's County:  
3150 (1) the County Council may set by resolution an additional fee of up  
3160 to \$60 for each license;  
3170 (2) the clerk shall pay the proceeds from the additional fee to the  
3180 Director of Finance of the county, who shall distribute the proceeds to  
3190 the Family Crisis Center of Prince George's County each month;  
3200 (3) if the Family Crisis Center of Prince George's County changes its  
3210 name or objectives or ceases to exist, the proceeds, in addition to  
3220 designated federal, State, and county funds, shall be used to fund  
3230 battered spouse shelters and domestic violence programs; and  
3240 (4) the County Executive shall prepare and make available an annual  
3250 report on or before December 1 of each year on the disposition of fees  
3260 collected under this subsection during the previous fiscal year.  
3270 (o) In Washington County:  
3280 (1) the Board of County Commissioners may set an additional fee of  
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3300 up to \$50 for each license;  
3310 (2) the clerk shall pay the proceeds from the additional fee to the  
3320 County Commissioners each month; and  
3330 (3) the proceeds shall be used to fund battered spouse shelters and  
3340 domestic violence programs in Washington County.  
3350 § 2-404.1 (a) (1) A county may discount a ~~marriage~~ UNIFICATION license fee under  
3360 § 2-404 (a) of this subtitle if the couple to be ~~married~~ UNIFIED has  
3370 completed, within 1 year before the date of the application for the  
3380 license, a ~~premarital~~ preparation course that meets the requirements  
3390 specified in this section.  
3400 (2) The amount of any discount shall be determined by the county  
3410 governing body.  
3420 (b) A ~~premarital~~ preparation course shall:  
3430 (1) include instruction regarding:  
3440 (i) conflict management;  
3450 (ii) communication skills;  
3460 (iii) financial responsibilities; and  
3470 (iv) children and parenting responsibilities; and  
3480 (2) consist of at least 4 hours of instruction.  
3490 (c) A ~~premarital~~ preparation course may be conducted by:  
3500 (1) a clinical professional counselor or a clinical marriage and family  
3510 therapist licensed under Title 17, Subtitle 3A of the Health Occupations  
3520 Article;  
3530 (2) a psychologist licensed under Title 18 of the Health Occupations  
3540 Article;  
3550 (3) a social worker licensed under Title 19 of the Health Occupations  
3560 Article;  
3570 (4) an official representative of a religious institution if the  
3580 representative has relevant training; or  
3590 (5) any other qualified provider approved by a county governing body.  
3600 (d) (1) A ~~premarital~~ preparation course provider shall register with the  
3610 clerk by filing a written affidavit containing:  
3620 (i) the provider's name, address, and telephone number;  
3630 (ii) a summary of the provider's qualifications and training;  
3640 and  
3650 (iii) a statement that the provider shall comply with the  
3660 course requirements specified in this section.  
3670 (2) The clerk may establish a roster of area premarital preparation  
3680 course providers, including those who offer the course on a sliding fee  
3690 scale or for free.  
3700 (e) (1) A ~~premarital~~ preparation course provider shall provide to each  
3710 couple who completes the course a certificate of completion that  
3720 specifies:  
3730 (i) the names of the couple;  
3740 (ii) the name of the provider; and  
3750 (iii) the date of completion of the course.  
3760 (2) To receive a discounted ~~marriage~~ UNIFICATION license fee  
3770 under this section, an applicant for a license shall verify completion of  
3780 a ~~premarital~~ preparation course by filing with the clerk a valid  
3790 certificate of course completion issued in accordance with paragraph  
3800 (1) of this subsection.  
3810 (f) Any cost for a ~~premarital~~ preparation course shall be paid by the applicant  
3820 for a ~~marriage~~ UNIFICATION license.  
3830 (g) The discount authorized by this section may not be applied to any fee used  
3840 to fund domestic violence programs.  
3850 § 2-405.

- 3860 (a) The clerk for the county in which a ~~marriage~~ UNIFICATION ceremony is  
3870 to be performed may issue and deliver a license at the time the application is  
3880 made.
- 3890 (b) A license may be issued only at the office of the clerk during regular office  
3900 hours.
- 3910 (c) (1) If either party to be ~~married~~ UNIFIED is known to be of an age  
3920 where the parental or guardian's consent and oath, or the licensed  
3930 physician's certificate, required by § 2-301 of this title, is required, the  
3940 clerk shall obtain the consent and oath or the certificate before issuing  
3950 the license.
- 3960 (2) (i) The clerk's record required under this title shall  
3970 include:  
3980 1. the consent and oath required by § 2-301 of this  
3990 title, if written; or  
4000 2. the fact that consent was given and an oath was  
4010 made, if given and made in person.
- 4020 (ii) The licensed physician's certificate required by § 2-301  
4030 of this title may not be made a part of the clerk's record.
- 4040 (3) After an individual has been issued a license in accordance with  
4050 the provisions of this subtitle, the clerk who issued the license shall seal  
4060 the licensed physician's certificate. Except on order of the court, the  
4070 licensed physician's certificate shall remain sealed.
- 4080 (d) (1) Except as provided in paragraph (2) of this subsection, a license is  
4090 not effective until 6 a.m. on the second calendar day after the license is  
4100 issued.
- 4110 (2) For good cause shown, a judge of the circuit court for the county  
4120 in which the application is made may sign an authorization for a license  
4130 to become effective at a time before the waiting period expires, as  
4140 stated in the authorization, if 1 of the parties to be ~~married~~ UNIFIED is:  
4150 (i) a resident of this State; or  
4160 (ii) a member of the United States armed forces.
- 4170 (e) If, during the questioning of an applicant for a license, the clerk finds that  
4180 there is a legal reason why the applicants should not be ~~married~~ UNIFIED, the  
4190 clerk shall withhold the license unless ordered by the court to issue the license.
- 4200 (f) A license may be delivered personally or by mail to:  
4210 (1) either of the parties to be ~~married~~ UNIFIED; or  
4220 (2) any person authorized in writing by either of the parties to accept  
4230 delivery.
- 4240 (g) (1) The Department of Health and Mental Hygiene shall provide to  
4250 each clerk:  
4260 (i) birth control information; and  
4270 (ii) a list of the family planning clinics located in the county  
4280 where the license is issued.
- 4290 (2) When the clerk issues a license, the clerk shall make the  
4300 information and list available to each applicant for a license.
- 4310 (h) (1) A clerk may not predate an application for a license.  
4320 (2) A clerk who violates any provision of this subsection is guilty of a  
4330 misdemeanor and on conviction is subject:  
4340 (i) for a first offense, to a fine not exceeding \$100; and  
4350 (ii) for each subsequent offense, to a fine not exceeding \$500  
4360 or imprisonment not exceeding 90 days or both.
- 4370 § 2-406.
- 4380 (a) (1) In this subsection, "judge" means:  
4390 (i) a judge of the District Court, a circuit court, the Court of  
4400 Special Appeals, or the Court of Appeals;  
4410 (ii) a judge approved under Article IV, § 3A of the Maryland

4420 Constitution and § 1-302 of the Courts Article for recall and  
4430 assignment to the District Court, a circuit court, the Court of  
4440 Special Appeals, or the Court of Appeals;  
4450 (iii) a judge of a United States District Court or a United  
4460 States Court of Appeals; or  
4470 (iv) a judge of a state court if the judge is active or retired but  
4480 eligible for recall.

4490 (2) A ~~marriage~~ UNIFICATION ceremony may be performed in this  
4500 State by:  
4510 (i) any official of a religious order or body authorized by the  
4520 rules and customs of that order or body to perform a ~~marriage~~  
4530 UNIFICATION ceremony;  
4540 (ii) any clerk;  
4550 (iii) any deputy clerk designated by the county administrative  
4560 judge of the circuit court for the county; or  
4570 (iv) a judge.

4580 (b) Within 6 months after a license becomes effective, any authorized official  
4590 may perform the ~~marriage~~ UNIFICATION ceremony of the individuals named in  
4600 the license.

4610 (c) (1) An individual may not perform a ~~marriage~~ UNIFICATION  
4620 ceremony unless the individual is authorized to perform a ~~marriage~~  
4630 UNIFICATION ceremony under subsection (a) of this section.  
4640 (2) An individual who violates this subsection is guilty of a  
4650 misdemeanor and on conviction is subject to a fine of \$500.

4660 (d) (1) An individual may not knowingly perform a ~~marriage~~  
4670 UNIFICATION ceremony between individuals who are prohibited  
4680 from ~~marrying~~ UNIFYING under § 2-202 of this title.  
4690 (2) An individual who violates the provisions of this subsection is  
4700 guilty of a misdemeanor and on conviction is subject to a fine of \$500.

4710 (e) (1) An individual may not perform a ~~marriage~~ UNIFICATION  
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4730 ceremony without a license that is effective under this subtitle.  
4740 (2) An individual who violates the provisions of this subsection is  
4750 guilty of a misdemeanor and on conviction is subject to a fine not  
4760 exceeding \$500.

4770 (f) The county administrative judge of the circuit court for the county shall  
4780 designate:  
4790 (1) when and where the clerk or deputy clerk may perform a ~~marriage~~  
4800 UNIFICATION ceremony; and  
4810 (2) the form of the ~~marriage~~ UNIFICATION ceremony to be recited  
4820 by the clerk or deputy clerk and the parties being ~~married~~ UNIFIED.

4830 (g) This section does not affect the right of any religious denomination to  
4840 perform a marriage ceremony in accordance with the rules and customs of the  
4850 denomination.

4860 § 2-407.  
4870 (a) An individual may not knowingly make any material false statement to  
4890 obtain or to help another individual to obtain a license ~~or marriage ceremony~~ in  
4990 violation of this title or of any order of court under § 2-405 of this subtitle.  
4910 (b) An individual who violates the provisions of this section is guilty of perjury.

4920 § 2-408.  
4930 (a) An authorized official may not give or offer to give any reward to any  
4940 person as an inducement to direct to the authorized official any individual who  
4950 is contemplating ~~marriage~~ A CIVIL UNION.  
4960 (b) An authorized official who violates the provisions of subsection (a) of this  
4970 section is guilty of a misdemeanor and on conviction is subject to a fine not  
4980 exceeding \$50 for each offense.

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§ 2-409.

- (a) Each ~~marriage~~ CIVIL UNION certificate shall contain:
- (1) the name, signature, and title of the authorized official who performs the ~~marriage~~ UNIFICATION ceremony; or
  - ~~(2) if the individuals are married in a Society of Friends marriage ceremony, the signatures of the individuals and the attestation of the certificate by 2 overseers of the marriage ceremony.~~
- (b) (1) The authorized official who performs the ~~marriage~~ UNIFICATION ceremony shall:
- (i) hand 1 ~~marriage~~ CIVIL UNION certificate to the individuals; and
  - (ii) return, within 5 days from the date of the ~~marriage~~ ceremony, the other ~~marriage~~ certificate to the clerk who issued the license to which the certificates were attached, but if the authorized official who performs the ~~marriage~~ ceremony dies or resigns, some other individual shall return the certificate.
- ~~(2) If the individuals are married in a Society of Friends marriage ceremony, they:~~
- ~~(i) may keep 1 marriage certificate; and~~
  - ~~(ii) within 5 days from the date of the marriage ceremony shall return the other marriage certificate to the clerk who issued the license to which the certificates were attached.~~
- (c) If the ~~marriage~~ certificate is not returned within 6 months after the date on which the license becomes effective, the clerk who issued the license shall attempt to determine whether the ~~marriage~~ ceremony was performed and, if so, the name of the authorized official who performed the ~~marriage~~ ceremony.
- (d) (1) An individual who performs a ~~marriage~~ CIVIL UNION ceremony or who is ~~married~~ UNIFIED in a Society of Friends marriage ceremony may not violate the provisions of subsection (b)(1)(ii) or (2)(ii) of this section.
- (2) An individual who violates any provision of this subsection is guilty of a misdemeanor and on conviction is subject to a fine in an amount that the court considers appropriate.

§ 2-410.

- (a) (1) Except as provided in this subsection, a judge, clerk, or deputy clerk may not receive any fee, remuneration, or gift for performing a ~~marriage~~ CIVIL UNION ceremony.
- (2) (i) 1. A Maryland judge's fee for performing a ~~marriage~~ CIVIL UNION ceremony is a nonrefundable fee, payable to the clerk before a ~~marriage~~ CIVIL UNION 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) 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.
- (3) In Allegany County, from the remaining \$15, the clerk shall pay, quarterly, \$2 of each fee to the Allegany County Historical Society.
- (4) (i) In Anne Arundel County, from the remaining \$15, the

5560 clerk shall pay \$4 of each fee to the Annarrundel County Trust  
5570 for Preservation, Inc.  
5580 (ii) The Annarrundel County Trust for Preservation, Inc.  
5590 shall report annually to the Anne Arundel County Executive  
5600 and the Maryland Historical Trust on the use of all funds  
5610 received under this section, including a detailed record of the  
5620 expenditures and receipts of all funds transferred from the  
5630 Anne Arundel County Committee of the Historical Trust.  
5640 (iii) The Anne Arundel County Executive or the Maryland  
5650 Historical Trust may request at any time an audit of the  
5660 financial records of the Annarrundel County Trust for  
5670 Preservation, Inc.

(5) (i) In Baltimore County, the clerk shall pay the remaining  
5680 \$15 to the Baltimore County Historical Trust, Inc.  
5690 (ii) The Baltimore County Historical Trust, Inc. shall report  
5700 annually to the Baltimore County Executive and the Maryland  
5710 Historical Trust on the use of all funds received under this  
5720 section, including a detailed record of the expenditures and  
5730 receipts of all funds collected before July 1, 1987.  
5740 (iii) The Baltimore County Executive or the Maryland  
5750 Historical Trust may request at any time an audit of the  
5760 financial records of the Baltimore County Historical Trust,  
5770 Inc.  
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(6) In Cecil County:  
5790 (i) of the funds remaining after the payment into the general  
5800 fund of the county under paragraph (2)(ii) of this subsection,  
5810 the clerk shall pay:  
5820 1. \$5 of each fee to the Cecil Historical  
5830 Trust, Incorporated; and  
5840 2. \$5 of each fee to the Historical Society  
5850 of Cecil County;  
5860 (ii) the Historical Society of Cecil County shall  
5870 report annually to the Cecil County Commissioners  
5880 on the use of the funds received under this section;  
5890 (iii) the Cecil Historical Trust, Incorporated shall  
5900 report annually to the Cecil County Commissioners  
5910 and the Maryland Historical Trust on the use of all  
5920 funds received under this section, including a  
5930 detailed record of the expenditures and receipts of  
5940 all funds transferred from the Cecil County  
5950 Committee of the Maryland Historical Trust; and  
5960 (iv) the Cecil County Commissioners or the  
5970 Maryland Historical Trust may request at any time  
5980 an audit of the financial records of the Cecil  
5990 Historical Trust, Incorporated.  
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(7) In Garrett County, from the remaining \$15, the clerk shall pay \$5  
6010 of each fee to the Garrett County Historical Society.  
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(8) In Montgomery County, from the remaining \$15, the clerk shall  
6030 pay:  
6040 (i) \$2 of each fee to the Montgomery County  
6050 Historical Society, Incorporated; and  
6060 (ii) \$3 of each fee into the fund for the  
6070 enhancement and beautification of the Montgomery  
6080 County Courthouse and facilities.  
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(9) (i) In Prince George's County, from the remaining \$15, the  
6100 clerk shall pay \$3 of each fee to Prince George's Heritage, Inc.  
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6120 (ii) Prince George's Heritage, Inc. shall report annually to the  
6130 Prince George's County Executive and the Maryland  
6140 Historical Trust on the use of all funds received under this  
6150 section, including a detailed record of the expenditures and  
6160 receipts of all funds collected before July 1, 1987.  
6170 (iii) The Prince George's County Executive or the Maryland  
6180 Historical Trust may request at any time an audit of the  
6190 financial records of Prince George's Heritage, Inc.  
6200 (10) In Harford County, from the remaining \$15, the clerk shall pay  
6210 \$10 of each fee to the Historical Society of Harford County, Inc.

6220 (b) (1) A clerk or deputy clerk may not violate any provision of this  
6230 section.  
6240 (2) A clerk or deputy clerk who violates the provisions of this section  
6250 is guilty of neglect of duty and on conviction is subject to removal from  
6260 office.

6270 § 2-501. Each clerk shall keep in the clerk's office a ~~marriage~~ CIVIL UNION license  
6280 book, which shall contain:  
6290 (1) a complete record of each license issued;  
6300 (2) a complete record of all matters the clerk is required to ascertain that relate  
6310 to the rights of an individual to obtain a license;  
6320 (3) in regular order, the items testified to by the applicants for a license as  
6330 required under this title;  
6340 (4) properly indexed, the name of each individual who intends to be ~~married~~  
6350 UNIFIED; and  
6360 (5) the date each certificate was filed and the name of the authorized official  
6370 who performed the ceremony.

6380 § 2-502.  
6390 (a) In this section, "foreign marriage" means a marriage ceremony:  
6400 (1) performed outside this State; and  
6410 (2) in which 1 or both of the parties were or are citizens of this State.  
6420 (b) Each clerk shall keep a foreign marriage record book in the clerk's office.  
6430 The clerk shall record a foreign marriage when presented with either:  
6440 (1) a certificate of marriage signed by the individual who performed  
6450 the marriage ceremony; or  
6460 (2) an official certified copy of a marriage record.  
6470 (c) On request, the clerk shall provide, under the seal of the court, certification  
6480 of a foreign marriage in the same manner as the clerk issues certification of a  
6490 ~~marriage~~ CIVIL UNION performed in this State.

6500 § 2-503.  
6510 (a) At the intervals that the Secretary of Health and Mental Hygiene sets, each  
6520 clerk shall send to the Secretary:  
6530 (1) a copy of the record of each ~~marriage~~ CIVIL UNION that the clerk  
6540 licenses and records;  
6550 (2) a report of each divorce that the court grants;  
6560 (3) a report of each annulment of a ~~marriage~~ UNION that the court:  
6570 (i) grants; or  
6580 (ii) effects by entering a conviction of bigamy or of ~~marrying~~  
6590 UNIFYING within any prohibited degree; and  
6600 (4) a report of any change in a ~~marriage~~ CIVIL UNION divorce, or  
6610 annulment record, in which the clerk shall certify that the change is  
6620 correct and conforms to the corresponding record of the clerk.  
6630 (b) The report of a divorce or annulment or of a change in a ~~marriage~~ CIVIL  
6640 UNION, divorce, or annulment record shall be made on the form that the  
6650 Secretary of Health and Mental Hygiene provides.  
6660 (c) (1) The Secretary of Health and Mental Hygiene may make  
6670 photostatic, photographic, or microphotographic copies of the original

6680 ~~marriage~~ UNION records of a clerk.  
6690 (2) The Secretary of Health and Mental Hygiene may not remove any  
6700 original ~~marriage~~ CIVIL UNION record from the custody of the clerk.  
6710 (3) The Secretary of Health and Mental Hygiene shall:  
6720 (i) make the copies in a manner that does not interfere with  
6730 the orderly transaction of business by the clerk; and  
6740 (ii) bear the cost of making the copies.  
6750 (d) The clerk may not receive any extra compensation for sending a report or  
6760 record to the Secretary or for making records available to the Secretary.  
6770 (e) A clerk who violates any provision of this section is guilty of a  
6780 misdemeanor and on conviction is subject to a fine of \$10 for each offense.  
6790 Subtitle 3  
6800 § 3-101. This title is remedial and shall be construed liberally to accomplish its purpose.  
6810 § 3-102.  
6820 (a) Unless the individual is pregnant, an individual:  
6830 (1) has no cause of action for breach of promise to ~~marry~~ UNIFY; and  
6840 (2) may not bring an action for breach of promise to ~~marry~~ UNIFY  
6850 regardless of where the cause of action arose.  
6860 (b) In an action for damages for breach of promise to marry, a judgment for the  
6870 plaintiff may not be entered on the uncorroborated testimony of the plaintiff.  
6880 § 3-103.  
6890 (a) An individual has no cause of action for alienation of affections.  
6900 (b) An individual may not bring an action for alienation of affections regardless  
6910 of where the cause of action arose.  
6920 § 3-104.  
6930 (a) A contract for payment or settlement of a claim abolished or prohibited by  
6940 this title is void and unenforceable.  
6950 (b) A holder in due course may enforce a negotiable instrument for payment or  
6960 settlement of a claim prohibited by this title.

6970 SECTION 2. BE IT FURTHER ENACTED BY THE MARYLAND STUDENT  
6980 LEGISLATURE this law, as amended, take effect on January 1, 2009.

6990 **MANDATES:** Governor Martin O'Malley  
7000 Speaker of the House Michael Busch  
7010 President of the Senate Thomas V. "Mike" Miller  
7020 Speaker of the House of Delegates Michael E. Busch  
7030 House Majority Leader Kumar P. Barve  
7040 House Minority Leader Anthony J O'Donnell  
7050 Senate Majority Leader Edward J. Kasemeyer  
7060 Senate Minority Leader David R. Brinkley

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