

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
 Third Reader

House Bill 424
 Judiciary

(Delegate Corderman)

Judicial Proceedings

Washington County - Disposition of Marriage Ceremony Fee

This bill alters the distribution of the fee for performing marriage ceremonies in Washington County by requiring the court clerk to pay \$10 of each fee to the Washington County Historical Society. It also requires an annual report to the Board of County Commissioners of Washington County and the Maryland Historical Trust (MHT) on the use of all funds received pursuant to the bill; the board and MHT may request at any time an audit of the financial records of the Washington County Historical Society.

Fiscal Summary

State Effect: General fund revenues decrease by \$2,900 in FY 2020, which reflects the bill’s October 1, 2019 effective date. Future years reflect annualization. Expenditures are not materially affected.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
GF Revenue	(\$2,900)	(\$3,800)	(\$3,800)	(\$3,800)	(\$3,800)
Expenditure	0	0	0	0	0
Net Effect	(\$2,900)	(\$3,800)	(\$3,800)	(\$3,800)	(\$3,800)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not impact Washington County finances.

Small Business Effect: None.

Analysis

Current Law: With the exception of Cecil County, the statewide fee for a judge, clerk, or deputy clerk to perform a marriage ceremony is \$25. From the \$25 fee, \$10 is paid into

each county’s general fund, except in Harford County where no money is paid into the county’s general fund. The remainder of the fee in most counties, including Washington County, is retained by the clerk (and disbursed to the State general fund); however, in some counties, a portion of the remaining fee is paid to a historical society, as shown in **Exhibit 1**.

Exhibit 1
Disposition of Fees from Marriage Ceremonies

<u>County</u>	<u>Remaining Fee Disposition</u>	<u>Recipient</u>
Allegany	\$2 quarterly	Allegany County Historical Society
Anne Arundel	4	Annarrundel (Anne Arundel) County Trust for Preservation
Baltimore	15	Baltimore County Historical Trust
Cecil	5	Cecil Historical Trust
	5	Historical Society of Cecil County
Garrett	5	Garrett County Historical Society
Harford	20	Historical Society of Harford County
Montgomery	2	Montgomery County Historical Society
	3	Montgomery County Courthouse and Facilities
Prince George’s	3	Prince George’s County Heritage

Source: Department of Legislative Services

Background: Washington County, officially founded in September 1776, was the first county in the nation to be named after George Washington. The Washington County Historical Society was founded in 1911 by a group of citizens who were concerned with the preservation of the county’s historical legacy. Early projects of the society included preservation advocacy and the physical preservation of important county landmarks, including the Boonsboro Washington Monument and Fort Frederick. Ongoing activities include exhibits, lectures, and interactive events to support the society’s mission of fostering an appreciation for the area’s cultural and historical legacy.

State Fiscal Effect: For each \$25 fee, the clerk will continue to pay \$10 to the county general fund but will also pay \$10 to the Washington County Historical Society before

disbursing the remaining \$5 to the State general fund. Accordingly, general fund revenues decrease by \$2,880 in fiscal 2020, which reflects the bill's October 1, 2019 effective date, and by \$3,840 annually thereafter. This estimate reflects the amount (\$10 per ceremony performed) that is no longer retained by the circuit court clerk in Washington County and disbursed to the State general fund but is instead paid to the Washington County Historical Society. This estimate is based on the number of ceremonies performed in fiscal 2017 (384) and assumes that the number of ceremonies performed annually remains constant.

Any potential programming costs for the Judiciary are assumed to be minimal and absorbable within existing resources.

Additional Comments: The Washington County Historical Society, a nonprofit organization, receives funding of \$2,880 in fiscal 2020 and \$3,840 annually thereafter.

Additional Information

Prior Introductions: None.

Cross File: SB 141 (Washington County Senators) - Judicial Proceedings.

Information Source(s): Washington County; Judiciary (Administrative Office of the Courts); Maryland Department of Planning; Washington County Historical Society; Department of Legislative Services

Fiscal Note History: First Reader - February 11, 2019
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Analysis by: Jennifer K. Botts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510