

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 289

(Senator Reilly)

Judicial Proceedings

Anne Arundel County – Marriage License Applications and Ceremonies

This bill authorizes alternate procedures for obtaining marriage licenses and performing marriage ceremonies in Anne Arundel County.

Fiscal Summary

State Effect: None. The bill codifies existing practice, as discussed below.

Local Effect: None. The bill codifies existing practice, as discussed below.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: To obtain a marriage license under current law, one of the parties to be married must appear before the clerk of the circuit court and provide specified information under oath, which the clerk places on the marriage license application. The bill establishes that in Anne Arundel County only, if a marriage is to be performed within Anne Arundel County, a party to be married may apply for a marriage license by (1) providing the clerk a signed marriage license application form containing specified information by mail, courthouse drop box, or email and (2) including the license application payment as directed by the clerk. The information submitted within the application must be sworn to (1) under oath before the clerk through the use of video conferencing or (2) if the use of video conferencing is not practical under the circumstances, in an affidavit included with the application.

The bill also permits an individual who is authorized to perform a marriage ceremony to perform the ceremony through the use of an audiovisual means of communication from a different location in Anne Arundel County than the parties to be married. This provision applies only in Anne Arundel County, and the parties to be married must be physically present at a single location within the county. In addition to returning one marriage certificate to the clerk who issued the license, as specified and required under current law, the authorized individual who performs a marriage pursuant to these provisions must mail, email, or deliver the marriage certificate to the individuals by another electronic format.

State/Local Fiscal Effect: The bill codifies, in Anne Arundel County only, procedures that were initially implemented statewide in accordance with an executive order issued on May 13, 2020. The executive order, which is still in effect statewide as of the date of this fiscal and policy note, was issued in order to allow marriage applications to be issued and marriage ceremonies to be performed safely during COVID-19. Neither the Judiciary nor Anne Arundel County anticipates any fiscal impact associated with continuing these procedures.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Anne Arundel County; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - January 18, 2021
rh/lgc

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