

SENATE BILL 377

D4

2lr1519
CF HB 369

By: **Senator Lee**

Introduced and read first time: January 21, 2022

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 22, 2022

CHAPTER _____

1 AN ACT concerning

2 **Marriage Records – Name Change**

3 FOR the purpose of establishing certain procedures for the issuance of a new marriage
4 record when the name of a party to the marriage has been changed; and generally
5 relating to name changes and marriage records.

6 BY adding to
7 Article – Family Law
8 Section 2–504
9 Annotated Code of Maryland
10 (2019 Replacement Volume and 2021 Supplement)

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

13 **Article – Family Law**

14 **2–504.**

15 **(A) (1) ON WRITTEN REQUEST, MADE UNDER PENALTY OF PERJURY, OF**
16 **BOTH PARTIES TO A MARRIAGE, THE CLERK FOR THE COUNTY THAT ISSUED THE**
17 **MARRIAGE LICENSE SHALL ISSUE A NEW MARRIAGE RECORD IN ACCORDANCE WITH**
18 **THIS SECTION IF THE CLERK RECEIVED SATISFACTORY PROOF THAT A COURT OF**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 COMPETENT JURISDICTION, REGARDLESS OF LOCATION, HAS ISSUED AN ORDER
2 FOR A CHANGE OF NAME FOR A PARTY TO THE MARRIAGE.

3 (2) ON THE PRESENTATION OF A DEATH CERTIFICATE FOR A PARTY
4 TO A MARRIAGE, THE CLERK FOR THE COUNTY THAT ISSUED THE MARRIAGE
5 LICENSE SHALL ACCEPT A REQUEST MADE UNDER PARAGRAPH (1) OF THIS
6 SUBSECTION FROM THE OTHER PARTY TO THE MARRIAGE.

7 (3) ON THE PRESENTATION OF AN ORDER OF THE COURT
8 INSTRUCTING A MARRIAGE RECORD TO BE CHANGED, THE CLERK FOR THE COUNTY
9 THAT ISSUED THE MARRIAGE LICENSE SHALL ACCEPT A REQUEST UNDER
10 PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A WRITTEN REQUEST OF BOTH
11 PARTIES.

12 (B) (1) A NEW MARRIAGE RECORD ISSUED UNDER THIS SECTION SHALL:

13 (I) IF THE ORIGINAL MARRIAGE RECORD DESIGNATES THE
14 GENDER OF THE PARTIES, INCLUDING BY USING THE TERMS "BRIDE", "GROOM",
15 "WIFE", OR "HUSBAND", DESIGNATE THE PARTIES USING GENDER-NEUTRAL
16 LANGUAGE; AND

17 (II) IF THE NAME OF A PARTY TO THE MARRIAGE HAS BEEN
18 CHANGED AT ANY TIME, REFLECT THE NAME THAT WAS MOST RECENTLY
19 ESTABLISHED AND FOR WHICH A CERTIFIED ORDER OF CHANGE OF NAME OR OTHER
20 APPROPRIATE EVIDENCE HAS BEEN SUBMITTED TO THE CLERK.

21 (2) A NEW MARRIAGE RECORD ISSUED UNDER SUBSECTION (A) OF
22 THIS SECTION MAY NOT:

23 (I) BE MARKED "AMENDED"; OR

24 (II) SHOW ON ITS FACE THAT A CHANGE HAS BEEN MADE TO:

25 1. A NAME OF A PARTY; OR

26 2. IF APPLICABLE, A GENDER DESIGNATION.

27 (C) (1) IF A NEW MARRIAGE RECORD IS ISSUED, THE CLERK SHALL:

28 (I) SUBSTITUTE THE NEW MARRIAGE RECORD FOR ANY PAPER
29 OR ELECTRONIC MARRIAGE RECORD THEN ON FILE; AND

1 **(II) REPORT AND TRANSMIT A COPY OF THE NEW MARRIAGE**
2 **RECORD TO THE SECRETARY OF HEALTH IN ACCORDANCE WITH § 2-503 OF THIS**
3 **TITLE.**

4 **(2) AFTER A MARRIAGE RECORD IS CHANGED UNDER THIS SECTION,**
5 **ANY CERTIFIED COPY OF THE MARRIAGE RECORD THAT IS ISSUED SHALL BE A COPY**
6 **OF THE NEW MARRIAGE RECORD, UNLESS A COURT OF COMPETENT JURISDICTION**
7 **ORDERS THE ISSUANCE OF A COPY OF THE ORIGINAL MARRIAGE RECORD.**

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.