

 KeyCite Yellow Flag - Negative Treatment  
Proposed Legislation

West's Annotated Code of Maryland  
Family Law (Refs & Annos)  
Title 2. Marriage (Refs & Annos)  
Subtitle 4. Licensing and Performance (Refs & Annos)

MD Code, Family Law, § 2-406

§ 2-406. Performance of marriage ceremony

Effective: October 1, 2009

[Currentness](#)

**“Judge” defined; authorized officials**

(a)(1) In this subsection, “judge” means:

- (i) a judge of the District Court, a circuit court, the Court of Special Appeals, or the Court of Appeals;
- (ii) a judge approved under [Article IV, § 3A of the Maryland Constitution](#) and [§ 1-302 of the Courts Article](#) for recall and assignment to the District Court, a circuit court, the Court of Special Appeals, or the Court of Appeals;
- (iii) a judge of a United States District Court, a United States Court of Appeals, or the United States Tax Court; or
- (iv) a judge of a state court if the judge is active or retired but eligible for recall.

(2) A marriage ceremony may be performed in this State by:

- (i) any official of a religious order or body authorized by the rules and customs of that order or body to perform a marriage ceremony;
- (ii) any clerk;
- (iii) any deputy clerk designated by the county administrative judge of the circuit court for the county; or
- (iv) a judge.

**Period during which marriage ceremony may be performed**

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

**Performance of marriage ceremony by unauthorized individual**

(c)(1) An individual may not perform a marriage ceremony unless the individual is authorized to perform a marriage ceremony under subsection (a) of this section.

(2) An individual who violates this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.

**Performance of marriage ceremony between individuals within prohibited degrees**

(d)(1) An individual may not knowingly perform a marriage ceremony between individuals who are prohibited from marrying under [§ 2-202](#) of this title.

(2) An individual who violates the provisions of this subsection is guilty of a misdemeanor and on conviction is subject to a fine of \$500.

**Performance of marriage ceremony without license**

(e)(1) An individual may not perform a marriage ceremony without a license that is effective under this subtitle.

(2) An individual who violates the provisions of this subsection is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500.

**Ceremony performed by a clerk or deputy clerk**

(f) The county administrative judge of the circuit court for the county shall designate:

(1) when and where the clerk or deputy clerk may perform a marriage ceremony; and

(2) the form of the marriage ceremony to be recited by the clerk or deputy clerk and the parties being married.

**Forms of religious ceremonies**

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

**Credits**

Added by Acts 1984, c. 296, § 2, eff. Oct. 1, 1984. Amended by [Acts 1999, c. 336, § 2, eff. Oct. 1, 1999](#); [Acts 2002, c. 207, § 1, eff. June 1, 2002](#); [Acts 2004, c. 199, § 1, eff. July 1, 2004](#); [Acts 2009, c. 324, § 1, eff. Oct. 1, 2009](#).

**Formerly** Art. 27, §§ 392, 394; Art. 62, §§ 3A, 4, 15.

[Notes of Decisions \(3\)](#)

MD Code, Family Law, § 2-406, MD FAMILY § 2-406

Current through the 2015 Regular Session of the General Assembly

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