

**MARRIAGE LICENSE FEE AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christine A. Johnson**

Senate Sponsor: Gregory S. Bell

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**LONG TITLE**

**General Description:**

This bill modifies a provision relating to marriage license fees.

**Highlighted Provisions:**

This bill:

▸ requires county clerks to collect an additional \$10 for a marriage license fee and to transmit that amount to the ~~H~~→ Division of Finance for distribution to the ←~~H~~ Division of Child and Family Services for use in the

operation of shelters for victims of domestic violence ~~H~~→ , if the applicant chooses to pay

the fee [-] ; and

▸ allows a marriage license applicant to choose ~~H~~→ [~~not~~] whether ←~~H~~ to pay the additional fee. ←~~H~~

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-16-21**, as last amended by Laws of Utah 2008, Chapter 382

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **17-16-21** is amended to read:

**17-16-21. Fees of county officers.**

(1) As used in this section, "county officer" means all of the county officers enumerated in Section 17-53-101 except county recorders, county constables, and county



28 sheriffs.

29 (2) (a) Each county officer shall collect, in advance, for exclusive county use and  
30 benefit:

- 31 (i) all fees established by the county legislative body under Section 17-53-211; and
- 32 (ii) any other fees authorized or required by law.

33 (b) As long as the displaced homemaker program is authorized by Section 35A-3-114,  
34 the county clerk shall:

- 35 (i) assess \$20 in addition to whatever fee for a marriage license is established under  
36 authority of this section; and
- 37 (ii) transmit \$20 from each marriage license fee to the Division of Finance to be  
38 credited to the displaced homemaker program.

39 (c) As long as the Children's Legal Defense Account is authorized by Section  
40 51-9-408, the county clerk shall:

- 41 (i) assess \$10 in addition to whatever fee for a marriage license is established under  
42 authority of this section and in addition to the \$20 assessed for the displaced homemaker  
43 program; and
- 44 (ii) transmit \$10 from each marriage license fee to the Division of Finance for deposit  
45 in the Children's Legal Defense Account.

46 (d) ~~H→~~ (i) ~~←H~~ As long as the Division of Child and Family Services, created in Section  
47 62A-4a-103, has the responsibility under Section 62A-4a-105 to provide services, including  
48 temporary shelter, for victims of domestic violence, the county clerk shall:

49 ~~H→~~ [(ii)] (A) ~~[assess] collect ←H~~ \$10 in addition to whatever fee for a marriage license is  
49a established under

50 authority of this section, in addition to the amounts described in Subsections (2)(b) and (c) ~~H→~~ ,  
50a ~~[unless] if an applicant chooses, as provided in Subsection (2)(d)(ii), [not] to pay the~~  
50b1 additional

50b \$10 ←H ; and

51 ~~H→~~ [(iii)] to the extent actually paid, ←H transmit \$10 from each marriage license  
51a ~~H→~~ fee ←H to the ~~H→~~ Division of Finance for distribution to the ←H Division of Child  
51b and Family  
52 Services for the operation of shelters for victims of domestic violence.

52a ~~H→~~ (ii)(A) The county clerk shall provide a method for an applicant for a marriage license  
52b to choose [not] to pay the additional \$10 ~~[assessed under] referred to in Subsection (2)(d)(i).~~

52c (B) An applicant for a marriage license may choose not to pay the additional \$10  
52d ~~[assessed under] referred to in Subsection (2)(d)(i) without affecting the applicant's ability to~~  
52e1 be issued

52e a marriage license. ←H

53 (3) This section does not apply to any fees currently being assessed by the state but  
54 collected by county officers.

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**Legislative Review Note**  
as of 1-19-09 4:14 PM

**Office of Legislative Research and General Counsel**

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**H.B. 198 - Marriage License Fee Amendments**

**Fiscal Note**

2009 General Session  
State of Utah

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**State Impact**

Enactment of this bill could increase appropriations to the Division of Child and Family Services to be used for the operation of domestic violence shelters.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
Dedicated Credits	\$0	\$250,000	\$250,000	\$0	\$250,000	\$250,000
<b>Total</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill requires local governments to collect \$10 on every marriage license issued. As a result local revenues could increase by \$250,000 annually. However, funds are to be transferred to the Division of Child and Family Services. Individuals applying for a marriage license will experience a \$10 increase in cost. No impact is anticipated on businesses.

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