

MARRIAGE LICENSE FEE AMENDMENTS

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christine A. Johnson

Senate Sponsor: Gregory S. Bell

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 Division of Finance for distribution to the Division of Child and Family Services for use in the operation of shelters for victims of domestic violence, if the applicant chooses to pay the fee; and

- ▶ allows a marriage license applicant to choose whether to pay the additional fee.

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

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

30 sheriffs.

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

33 (i) all fees established by the county legislative body under Section 17-53-211; and

34 (ii) any other fees authorized or required by law.

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

37 (i) assess \$20 in addition to whatever fee for a marriage license is established under
38 authority of this section; and

39 (ii) transmit \$20 from each marriage license fee to the Division of Finance to be
40 credited to the displaced homemaker program.

41 (c) As long as the Children's Legal Defense Account is authorized by Section
42 51-9-408, the county clerk shall:

43 (i) assess \$10 in addition to whatever fee for a marriage license is established under
44 authority of this section and in addition to the \$20 assessed for the displaced homemaker
45 program; and

46 (ii) transmit \$10 from each marriage license fee to the Division of Finance for deposit
47 in the Children's Legal Defense Account.

48 (d) (i) As long as the Division of Child and Family Services, created in Section
49 62A-4a-103, has the responsibility under Section 62A-4a-105 to provide services, including
50 temporary shelter, for victims of domestic violence, the county clerk shall:

51 (A) collect \$10 in addition to whatever fee for a marriage license is established under
52 authority of this section, in addition to the amounts described in Subsections (2)(b) and (c), if
53 an applicant chooses, as provided in Subsection (2)(d)(ii), to pay the additional \$10; and

54 (B) to the extent actually paid, transmit \$10 from each marriage license fee to the
55 Division of Finance for distribution to the Division of Child and Family Services for the
56 operation of shelters for victims of domestic violence.

57 (ii) (A) The county clerk shall provide a method for an applicant for a marriage license

58 to choose to pay the additional \$10 referred to in Subsection (2)(d)(i).

59 (B) An applicant for a marriage license may choose not to pay the additional \$10
60 referred to in Subsection (2)(d)(i) without affecting the applicant's ability to be issued a
61 marriage license.

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