

March 4, 2009

H 404. WAIVE MARR. LIC. FEE/PRE. COUNSELING/FUNDS. Filed 3/4/09. *TO WAIVE THE FEE FOR A MARRIAGE LICENSE FOR INDIVIDUALS WHO RECEIVE PREMARITAL COUNSELING AND TO APPROPRIATE FUNDS FOR THAT PURPOSE.*

Current law, under GS 161-10(a)(2), imposes a \$50 fee for the issuance of a marriage license. Amends GS 51-8 as the title indicates. Provides that for applicants to receive a waiver of the marriage license fee, they must submit documentation of having received premarital counseling from (1) clergy from a recognized religious denomination, (2) a licensed marriage and family therapist, or (3) a qualified mental health provider at least 15 days before applying for a marriage license. Defines *recognized religious denominations* to mean nondenominational ministries, interdenominational and ecumenical organizations, and other entities whose principal purpose is the study or advancement of religion. Directs that the counseling is to include discussions of any issues relevant to sustaining a marriage and prescribes a list of topics that are to be included.

Requires the register of deeds to submit the total amount of the waivers granted to the Office of State Budget and Management (OSBM). Directs the OSBM to forward monthly to the register of deeds, State Treasurer, and the Department of Administration the respective amounts that would have gone to the county general fund under GS 161.10(a), the Children's Trust Fund under GS 161-11.1, and the Domestic Violence Center Fund under GS 161-11.2, if the marriage license fee had not been waived.

Appropriates \$150,000 for 2009-10 and \$150,000 for 2010-11 from the General Fund to the OSBM for the purpose of reimbursing for the waivers granted on marriage license fees to applicants providing documentation of premarital counseling in accordance with amended GS 51-8.

Provides that any cost that is in excess of the funding appropriated to reimburse for waivers granted to marriage license applicants providing documentation of premarital counseling is to be allocated from the Contingency and Emergency Fund.

Directs the OSBM to track and report the number of waivers granted and to submit the report on a quarterly basis to the Fiscal Research Division.

Makes a conforming change to GS 161-10(a)(2).

Effective July 1, 2009.

Intro. by Hilton, Burris-Floyd.

GS 51, 161, APPROP