

HB 1599-FN-A - AS INTRODUCED

2020 SESSION

20-2006

05/08

HOUSE BILL ***1599-FN-A***

AN ACT establishing a special marriage officiant license.

SPONSORS: Rep. Cushing, Rock. 21; Rep. Butler, Carr. 7; Rep. Altschiller, Rock. 19; Rep. DiLorenzo, Rock. 17; Rep. Schultz, Merr. 18; Rep. Chase, Straf. 18; Rep. Bushway, Rock. 21; Sen. Fuller Clark, Dist 21; Sen. French, Dist 7; Sen. Hennessey, Dist 5

COMMITTEE: Judiciary

ANALYSIS

This bill establishes a special marriage officiant license to temporarily authorize an individual to solemnize a marriage. A portion of the license fee shall be deposited in the fund for domestic violence programs.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty

AN ACT establishing a special marriage officiant license.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Solemnization of Marriage; Special Marriage Officiant License. Amend RSA 457
2 by inserting after section 32-a the following new section:

3 457:32-b Special Marriage Officiant License.

4 I. The secretary of state may issue a special marriage officiant license, which shall
5 temporarily authorize an individual to solemnize a marriage in this state. Any individual who
6 applies for the special marriage officiant license shall register with the secretary of state, complete
7 the registration form prescribed by the secretary of state, and submit an \$85 fee to the department of
8 state. The secretary of state shall forward \$80 of the fee to the department of health and human
9 services for deposit in the fund for domestic violence programs, established in RSA 173-B:15, and
10 shall retain the remainder of the fee for administrative costs associated with issuance of the license.

11 II. Upon registration as a special marriage officiant, the individual shall be authorized to
12 solemnize only the civil marriage designated on the registration form and shall receive proof of such
13 authority from the secretary of state. The individual's authority to solemnize the marriage shall
14 expire at the same time as the corresponding license.

15 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1599-FN-A- FISCAL NOTE
AS INTRODUCED**

AN ACT establishing a special marriage officiant license.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Approximately \$59,000	Approximately \$59,000	Approximately \$59,000
Expenditures	\$0	\$0	\$0	\$0
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Special fund for domestic violence programs (RSA 173-B:15)			

METHODOLOGY:

This bill would authorize the Secretary of State to issue a special marriage officiant license to temporarily authorize an individual to solemnize a marriage in this state. The legislation requires completion of a registration form and submission of an \$85 fee, \$80 which is to be forwarded to the Department of Health and Human Services for deposit in the fund for domestic violence programs established in RSA 173-B:15, and \$5 to be retained by the Secretary of State for administrative costs associated with the issuance of the license.

The Department of Health and Human Services states the number of licenses that would be requested is unknown. No additional staff would be needed to forward the funds for deposit in the fund for domestic violence programs but the task would require a re-allocation of existing staff time for this purpose within the current budget.

The Secretary of State's Office previously submitted information assuming that the individuals obtaining the proposed license would be the same ones who obtain on-line ordained minister credentials to qualify for the special marriage solemnization license issued to ordained ministers. The fee for that license is \$25. It is estimated that 985 individuals apply for the existing license annually, generating approximately \$24,625 per year (985 x \$25). This revenue currently goes to the general fund. The Secretary of State assumes under the bill, the same number of applicants (985) will now pay \$85 and will generate \$83,725 (985 x \$85 = \$83,725). Of this amount, \$78,800 (985 x \$80 = \$78,800) would go to the domestic violence fund. The Secretary of State assumes

\$4,925 (985 x \$5 = \$4,925) would be retained by the Secretary of State for deposit into the general fund.

	Type of License	
	Ordained Minister Online	Proposed Marriage Officiant
License Fee	\$25	\$85
Estimated Annual Number of Applicants	985	985
Annual Revenue to General Fund	\$24,625	\$4,925
Annual Revenue to Domestic Violence Fund	\$0	\$78,800
Total Annual Revenue	\$24,625	\$83,725

Total Projected Annual Revenue	\$83,725
Less Current Total Annual Revenue	<u>\$24,625</u>
Net Projected Annual Revenue	\$59,100

It is assumed the fiscal impact of this bill will not begin until FY 2021.

AGENCIES CONTACTED:

Department of State and Department of Health and Human Services