

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4962H.01I  
Bill No.: HB 2376  
Subject: Marriage and Divorce; County Officials  
Type: Original  
Date: March 1, 2024

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Bill Summary: This proposal allows marriages to be solemnized by the Recorder of Deeds or the Deputy Recorder under the supervision of the Recorder of Deeds.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on General Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: () indicate costs or losses.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2025</b>	<b>FY 2026</b>	<b>FY 2027</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

#### §451.100 – Solemnization of Marriages

Officials from the **Mississippi County Recorder of Deed's Office (MSROD)** assume a positive impact from this proposal. MSROD has seen a decline in the issuing of marriage license since 2015 the same year as the US Supreme Court said that couples of the same sex could get married. The biggest reason for the decline in Mississippi County is because judges have elected not to marry couples in light of the Supreme Court ruling. MSROD has seen a twenty five percent decline in the issuing of licenses. MSROD believes that if the Recorder or the Deputy Recorder was afforded the power of marrying couples, then MSROD could possibly see an increase in issuing due to the fact that couples could then return to the courthouse to get married.

MSROD also believes that this would reduce the number of marriages that are done by wedding officiants and ordained ministers. This also could be a positive factor as MSROD has noticed that most wedding officiants and on-line ordained ministers do not follow the instructions correctly. This causes MSROD's staff to contact or run down the person solemnizing the marriage which in turn is an additional cost in labor and time to fix the marriage license.

**Oversight** assumes MSROD's impact would be more of an indirect impact for this proposal.

**Oversight** notes according to <https://ncscjudicialethicsblog.org/2016/03/24/wedding-fees/>, some states have provisions governing whether a judge may accept an honorarium for performing a wedding ceremony in the code of judicial conduct, a court rule or directive, a statute, or a judicial ethics advisory opinion. In some states, a judge cannot personally accept a fee for solemnizing a marriage regardless when or where the marriage is performed. The states that prohibit judges from accepting fees for performing marriages are: Illinois, Missouri, New Jersey, New Mexico, Ohio, Oklahoma, Pennsylvania, South Carolina, and West Virginia. Using the example of judges as public servants, **Oversight** notes the language in this proposal does not include a fee to solemnize a marriage and will assume no direct impact from this proposal.

Officials from the **Department of Health and Senior Services** and the **Department of Social Services** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

<u>FISCAL IMPACT – State Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2025 (10 Mo.)	FY 2026	FY 2027
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

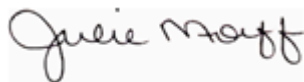
FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

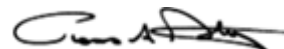
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Mississippi County Recorder of Deed’s Office  
 Department of Health and Senior Services  
 Department of Social Services



Julie Morff  
 Director  
 March 1, 2024



Ross Strobe  
 Assistant Director  
 March 1, 2024