



# VERMONT LEGISLATIVE Joint Fiscal Office

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## Fiscal Note

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### H.477 – An act relating to marriage license fees

As recommended by the House Committee on the Judiciary, Draft 2.1<sup>1</sup>

#### Bill Summary

This bill changes both the amount and allocation of civil marriage license fees. The cost of a marriage license would increase from \$60 to \$75. Town clerks would be able to retain \$15 of the fee and \$60 would go to the Domestic and Sexual Violence Special Fund.

#### Fiscal Impact

- The \$15 portion of civil marriage license that is currently deposited into the General Fund would be redirected to the Domestic and Sexual Violence Special Fund. **This change would result in a \$72,000 reduction in General Fund revenue and an equal increase to the Domestic and Sexual Violence Special Fund.** This is based on 4,800 marriages licenses issued per year.
- Additionally, the bill increases the marriage license fee by \$15.
  - \$10 of the increase will be deposited into the Domestic and Sexual Violence Special Fund. **Based on the estimated 4,800 civil marriage licenses are issued per year, the additional \$10 would result in an increase of \$48,000 in special fund revenue.**
  - Towns will be able to retain an additional \$5 per license. Towns would be able to retain a total of \$15 per marriage license.
- In total, both the redirect of fees from the General Fund as well as the increase in the fee would result in an additional \$120,000 deposited to the Domestic and Sexual Violence Special fund annually.

Table 1: State Fiscal Impacts of H. 477

	General Fund	Domestic and Sexual Violence Fund
Redirect \$15 of the marriage license fee from General Fund to Domestic and Sexual Violence Fund	(\$72,000)	\$72,000
\$10 fee increase	\$0	\$48,000
<b>Total Changes</b>	<b>(\$72,000)</b>	<b>\$120,000</b>

#### Background and Details

Currently, civil marriage licenses cost \$60, and the proceeds of each license are distributed as follows:

- \$35 to the Domestic and Sexual Violence Special Fund

<sup>1</sup><https://legislature.vermont.gov/Documents/2024/WorkGroups/House%20Judiciary/Bills/H.477/Drafts,%20Amendments,%20and%20Legal%20Documents/H.477~Michele%20Childs~Draft%202.1,%203-16-2023~3-16-2023.pdf>

- \$15 is deposited into the General Fund
- \$10 is retained by Town Clerks

Table 2 shows how those amounts would change under the proposed legislation.

Table 2: Current Law and As Proposed Comparison

	Current Law	As proposed	Difference
Retained by Clerks	\$10	\$15	\$5
To General Fund	\$15	\$0	(\$15)
To Domestic and Sexual Violence Fund	\$35	\$60	\$25
<b>Total</b>	<b>\$60</b>	<b>\$75</b>	<b>\$15</b>

The Domestic and Sexual Violence Special Fund is one of three special funds administered by the Center for Crime Victim Services. Created in 2013, the special fund supports grants to the Vermont Network Against Domestic and Sexual Violence as well as a position at the Criminal Justice Training Council focused on domestic violence training.

In addition to revenue from civil marriage license fees, the Domestic and Sexual Violence Fund receives \$10 from the \$47 fee added onto criminal and civil judgements. Between the two revenue sources, the Domestic and Sexual Violence Fund has seen declining revenues since fiscal year 2017, with revenues in fiscal year 2022 only 57 percent of the revenues in fiscal year 2017, as shown in Table 3.

Table 3: Domestic and Sexual Violence Special Fund Revenues<sup>2</sup>

	Revenue	Change from prior year	Percent change
<b>FY 2017</b>	\$939,833		
<b>FY 2018</b>	\$901,087	(\$38,746)	-4.12%
<b>FY 2019</b>	\$846,618	(\$54,469)	-6.04%
<b>FY 2020</b>	\$761,959	(\$84,659)	-10.00%
<b>FY 2021</b>	\$530,292	(\$231,667)	-30.40%
<b>FY 2022</b>	\$534,739	\$4,447	0.84%

The primary cause of the drop in revenue is a decrease in the volume of civil and criminal judgements surcharges paid. Table 3 shows that the amount of surcharge revenue from civil judgements in fiscal year 2022 is less than half of the amount of surcharge revenue in fiscal year 2017.

<sup>2</sup> The Department of Finance and Management VISION financial system provided information for Tables 3, 4, and 5.

Table 4: Domestic and Sexual Violence Fund Revenues from Criminal and Civil Judgement Surcharges

Fiscal year	Revenue from civil judgements	Number of criminal and civil judgements	Revenue Change	Percentage Change
FY 2017	\$782,870	78,287		
FY 2018	\$717,817	71,782	(\$65,053)	-8.31%
FY 2019	\$679,907	67,991	(\$37,910)	-5.28%
FY 2020	\$594,604	59,460	(\$85,303)	-12.55%
FY 2021	\$408,067	40,807	(\$186,537)	-31.37%
FY 2022	\$352,529	35,253	(\$55,538)	-13.61%

The decrease in the payments of civil judgements is the result of a few different factors, as outlined in more detail in the JFO Issue Brief titled “Vermont’s Criminal Justice Revenues.”<sup>3</sup> First, Act 147 of 2016 curtailed license suspensions where points are assessed and eliminated suspensions altogether when points are not assessed for violations. This change contributed to the decrease in the number of criminal and civil judgements issued and associated revenues. Additionally, the COVID-19 pandemic impacted the number of civil violations. In years prior to the pandemic, Vermont State Police (VSP) issued more than 20,000 tickets per year. This decreased more than 50% in 2020, when 9,353 tickets were issued, and by 55% in 2021 when VSP only issued 4,208 tickets for civil violations.<sup>4</sup>

Outside of a one-year decrease in the number of marriages licenses caused by the pandemic, revenues from marriage license fees have been relatively constant. Table 4 shows the revenue from the \$35 share of civil marriage license fees for fiscal years 2017 through 2022.

Table 5: Domestic and Sexual Violence Fund Revenues from Civil Marriage License Fees

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
Revenue from civil marriage license fees	\$156,963	\$183,270	\$166,711	\$167,355	\$122,225	\$182,210
Number of marriage licenses	4,485	5,236	4,763	4,782	3,492	5,206

The overall decrease in revenues has put pressure on the finances on the Domestic and Sexual Violence Special Fund. As shown in Table 5, revenues outpaced expenses in fiscal years 2020 and 2021, which resulted in a fund deficit of \$133,312 at the end of fiscal year 2021. In fiscal year 2022, revenues were slightly ahead of expenditures and the fund received an appropriation of \$250,000 in the 2022 budget adjustment act (Act 83 of 2022)<sup>5</sup> to bring it to a positive balance again. Without a change to the fees that support the fund, there would have to be a programmatic change to ensure that the fund does not overspend going forward.

<sup>3</sup> <https://ljfo.vermont.gov/assets/Publications/Issue-Briefs/685e3feb4/Criminal-justice-issue-brief-FINAL.pdf>

<sup>4</sup> <https://vsp.vermont.gov/sites/vsp/files/documents/VSPSummarySheetDemographics2021.pdf>

<sup>5</sup> <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT083/ACT083%20As%20Enacted.pdf>

Table 6: Domestic and Sexual Violence Fund Balance<sup>6</sup>

	FY 2019	FY 2020	FY 2021	FY 2022
<b>Carryforward</b>	\$129,322	\$123,598	\$68,925	<b>\$(133,312)</b>
<b>Revenue</b>	\$846,617	\$761,958	\$530,292	\$534,739
<b>Expenses</b>	\$852,341	\$816,631	\$732,531	\$520,926
<b>Other sources</b>				\$250,000
<b>Fund Balance</b>	123,598	\$68,925	<b>\$(133,312)</b>	\$130,500

<sup>6</sup> <https://ljfo.vermont.gov/assets/Meetings/Joint-Fiscal-Committee/2022-11-09/a8d3823012/Special-Fund-Report-FY2022.pdf>