



General Assembly

Substitute Bill No. 5442

January Session, 2017

* _____HB05442JUD____033017_____*

AN ACT CONCERNING THE LEGAL AGE TO MARRY IN THIS STATE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-20a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) A person is eligible to marry if such person is:

4 (1) Not a party to another marriage, or a relationship that provides
5 substantially the same rights, benefits and responsibilities as a
6 marriage, entered into in this state or another state or jurisdiction,
7 unless the parties to the marriage will be the same as the parties to
8 such other relationship;

9 (2) Except as provided in [section 46b-30] subsection (b) of this
10 section, at least eighteen years of age;

11 (3) Except as provided in section 46b-29, not under the supervision
12 or control of a conservator; and

13 (4) Not prohibited from entering into a marriage pursuant to section
14 46b-21.

15 (b) A license may be issued to a minor who is at least sixteen years
16 of age but under eighteen years of age when the minor, or the other

17 party for whom the marriage license is sought, is (1) pregnant, or (2) a
18 member of the armed forces as defined in section 27-103. A registrar
19 shall not issue a license under this subsection unless the minor's
20 application for license is accompanied by the following documents: (A)
21 The written consent of the minor to be married, signed and
22 acknowledged before a person authorized to take acknowledgments of
23 conveyances under the provisions of section 47-5a, or authorized to
24 take acknowledgments in any other state or country; (B) the written
25 consent of the minor's parent or guardian permitting the minor to be
26 married, signed and acknowledged before a person authorized to take
27 acknowledgments of conveyances under the provisions of section 47-
28 5a, or authorized to take acknowledgments in any other state or
29 country; and (C) the written consent of the judge of probate for the
30 district in which the minor resides.

31 Sec. 2. Section 46b-150d of the general statutes is repealed and the
32 following is substituted in lieu thereof (*Effective October 1, 2017*):

33 An order that a minor is emancipated shall have the following
34 effects: (1) The minor may consent to medical, dental or psychiatric
35 care, without parental consent, knowledge or liability; (2) the minor
36 may enter into a binding contract; (3) the minor may sue and be sued
37 in such minor's own name; (4) the minor shall be entitled to such
38 minor's own earnings and shall be free of control by such minor's
39 parents or guardian; (5) the minor may establish such minor's own
40 residence; (6) the minor may buy and sell real and personal property;
41 (7) the minor may not thereafter be the subject of (A) a petition under
42 section 46b-129 as an abused, neglected or uncared for child or youth,
43 (B) a petition under section 46b-128 or 46b-133 as a delinquent child for
44 any act committed before the date of the order, or (C) a petition under
45 section 46b-149 alleging that the minor is a child from a family with
46 service needs; (8) the minor may enroll in any school or college,
47 without parental consent; (9) the minor shall be deemed to be over
48 eighteen years of age for purposes of securing an operator's license
49 under section 14-36 and a marriage license under [subsection (b) of

50 section 46b-30] section 46b-20a, as amended by this act; (10) the minor
51 shall be deemed to be over eighteen years of age for purposes of
52 registering a motor vehicle under section 14-12; (11) the parents of the
53 minor shall no longer be the guardians of the minor under section 45a-
54 606; (12) the parents of a minor shall be relieved of any obligations
55 respecting such minor's school attendance under section 10-184; (13)
56 the parents shall be relieved of all obligation to support the minor; (14)
57 the minor shall be emancipated for the purposes of parental liability
58 for such minor's acts under section 52-572; (15) the minor may execute
59 releases in such minor's own name under section 14-118; (16) the minor
60 may enlist in the armed forces of the United States without parental
61 consent; and (17) the minor may access or obtain a certified copy of a
62 birth certificate under section 7-51.

63 Sec. 3. Section 7-45 of the general statutes is repealed and the
64 following is substituted in lieu thereof (*Effective October 1, 2017*):

65 Each person making any certificate of birth, marriage, civil union,
66 death or fetal death, or any copy of such certificate for the
67 commissioner, or any sexton's report required by law, shall cause the
68 same to be typewritten or printed in a legible manner as to all material
69 information or facts required by the provisions of sections 7-48, 7-60,
70 [and] 7-62b, [and sections] 46b-25 and 46b-29 [to 46b-30, inclusive, or
71 sections 46b-38hh to 46b-38jj, inclusive,] and contained in such
72 certificate. If the certificate is in paper format, such person shall sign
73 the certificate in black ink, shall state therein in what capacity such
74 person so signs, and shall type or print in a legible manner the name of
75 each person signing such certificate, under such person's signature. If
76 the certificate is in an electronic format, such certificate shall be
77 authenticated by the electronic vital records system of the department.
78 Any certificate not complying with the requirements of this section
79 shall be returned by the registrar with whom it is filed to the person
80 making the same for the proper correction.

81 Sec. 4. Subsection (a) of section 46b-24 of the general statutes is
82 repealed and the following is substituted in lieu thereof (*Effective*

83 *October 1, 2017*):

84 (a) Except as provided in section 46b-28a, no persons may be joined
85 in marriage in this state until both have complied with the provisions
86 of this section, [section] sections 46b-20a, as amended by this act, 46b-
87 25 and [sections] 46b-29 to 46b-33, inclusive, and have been issued a
88 license by the registrar for the town in which the marriage is to be
89 celebrated, which license shall bear the certification of the registrar that
90 the persons named therein have complied with the provisions of said
91 sections.

92 Sec. 5. Section 46b-30 of the general statutes is repealed. (*Effective*
93 *October 1, 2017*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	46b-20a
Sec. 2	<i>October 1, 2017</i>	46b-150d
Sec. 3	<i>October 1, 2017</i>	7-45
Sec. 4	<i>October 1, 2017</i>	46b-24(a)
Sec. 5	<i>October 1, 2017</i>	Repealer section

Statement of Legislative Commissioners:

Section 4 was added for consistency with the changes being made in Sections 1 and 5.

JUD *Joint Favorable Subst.*