



House of Representatives

General Assembly

File No. 577

January Session, 2023

House Bill No. 6569

House of Representatives, April 13, 2023

The Committee on Judiciary reported through REP. STAFSTROM of the 129th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE MINIMUM AGE TO BE ELIGIBLE TO MARRY.

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 Section 46b-20a of the general statutes is repealed and the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 July 1, 2023*):

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 marriage,
6 entered into in this state or another state or jurisdiction, unless the
7 parties to the marriage will be the same as the parties to such other
8 relationship;

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

11 (3) Except as provided in section 46b-29, not under the supervision or
12 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 with the approval of the Probate
17 Court as provided in this subsection. A parent or guardian of a minor
18 may, on behalf of the minor, petition the Probate Court for the district
19 in which the minor resides seeking approval for the issuance of a license
20 to such minor. The court shall schedule a hearing on the petition and
21 give notice to the minor, the minor's parents or guardians and to the
22 other party to the intended marriage. The minor and the petitioning
23 parent or guardian shall be present at such hearing. The court may, in
24 its discretion, require the other party to the intended marriage to be
25 present at such hearing. After a hearing on the petition, the court may
26 approve the issuance of a license to the minor if the court finds that: (1)
27 The petitioning parent or guardian consents to the marriage; (2) the
28 minor consents to the marriage and such consent is based upon an
29 understanding of the nature and consequences of marriage; (3) the
30 minor has sufficient capacity to make such a decision; (4) the minor's
31 decision to marry is made voluntarily and free from coercion; and (5)
32 the marriage would not be detrimental to the minor.]

33 Sec. 2. Subsection (a) of section 45a-8a of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective July 1,*
35 *2023*):

36 (a) For the purposes of this section, "children's matters" means: (1)
37 Guardianship matters under sections 45a-603 to 45a-625, inclusive; (2)
38 termination of parental rights matters under sections 45a-706 to 45a-719,
39 inclusive; (3) adoption matters under sections 45a-724 to 45a-733,
40 inclusive, and sections 45a-736 and 45a-737; (4) claims for parentage
41 under section 46b-571 and section 46b-454, and parentage orders under
42 sections 46b-517, 46b-531 and 46b-535; (5) emancipation of minor
43 matters under sections 46b-150 to 46b-150e, inclusive; (6) voluntary
44 admission matters under section 17a-11; [(7) issuance of marriage
45 licenses to a minor who is sixteen or seventeen years of age under

46 section 46b-20a; and (8)] and (7) validation of surrogacy agreements
47 under sections 46b-533 and 46b-536.

48 Sec. 3. Section 46b-150d of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective July 1, 2023*):

50 An order that a minor is emancipated shall have the following effects:
51 (1) The minor may consent to medical, dental or psychiatric care,
52 without parental consent, knowledge or liability; (2) the minor may
53 enter into a binding contract; (3) the minor may sue and be sued in such
54 minor's own name; (4) the minor shall be entitled to such minor's own
55 earnings and shall be free of control by such minor's parents or
56 guardian; (5) the minor may establish such minor's own residence; (6)
57 the minor may buy and sell real and personal property; (7) the minor
58 may not thereafter be the subject of (A) a petition under section 46b-129
59 as an abused, neglected or uncared for child or youth, (B) a petition
60 under section 46b-128 or 46b-133 as a delinquent child for any act
61 committed before the date of the order, or (C) a petition under section
62 46b-149 alleging that the minor is a child from a family with service
63 needs; (8) the minor may enroll in any school or college, without
64 parental consent; (9) the minor shall be deemed to be over eighteen years
65 of age for purposes of securing an operator's license under section 14-
66 36; [and a marriage license under section 46b-20a;] (10) the minor shall
67 be deemed to be over eighteen years of age for purposes of registering a
68 motor vehicle under section 14-12; (11) the parents of the minor shall no
69 longer be the guardians of the minor under section 45a-606; (12) the
70 parents of a minor shall be relieved of any obligations respecting such
71 minor's school attendance under section 10-184; (13) the parents shall be
72 relieved of all obligation to support the minor; (14) the minor shall be
73 emancipated for the purposes of parental liability for such minor's acts
74 under section 52-572; (15) the minor may execute releases in such
75 minor's own name; (16) the minor may enlist in the armed forces of the
76 United States without parental consent; and (17) the minor may access
77 or obtain a certified copy of a birth certificate under section 7-51.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	46b-20a
Sec. 2	<i>July 1, 2023</i>	45a-8a(a)
Sec. 3	<i>July 1, 2023</i>	46b-150d

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

This bill raises the minimum age to marry to eighteen without exception. While this change removes the responsibility of the Probate Court to review minor marriages, this is not anticipated to have a material impact on court operations due to the number of cases the Probate Court disposes of annually.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**HB 6569*****AN ACT CONCERNING THE MINIMUM AGE TO BE ELIGIBLE TO MARRY.*****SUMMARY**

This bill prohibits anyone under age 18 from being issued a marriage license under any circumstances. It does so by removing an exception in current law that generally allows a 16- or 17-year-old to get a marriage license if the probate court approves a petition filed by the minor's parent or guardian.

Under the bill, emancipated minors are also no longer eligible to marry. Under current law, emancipated minors are treated as adults for marriage purposes and are eligible to marry at age 16 or 17. (By law, a minor must be at least age 16 to be emancipated.)

EFFECTIVE DATE: July 1, 2023

EXCEPTION FOR 16- AND 17-YEAR-OLDS ELIMINATED

Under current law, a 16- or 17-year-old may only get a marriage license if the probate court where the minor resides approves a petition filed on the minor's behalf by his or her parent or guardian. The court must schedule a hearing on the petition and notify the minor, his or her parents or guardians, and the other party to the intended marriage. The minor and the petitioning parent or guardian must attend the hearing, and the court may, at its discretion, also require the other party to the marriage to attend the hearing. After a hearing on the petition, the court may approve the license if it finds that the following conditions are met:

1. the petitioning parent or guardian consents to the marriage,
2. the minor (a) consents to the marriage based on an

understanding of the nature and consequences of the marriage and (b) is sufficiently capable of making that decision,

3. the minor’s decision to marry is voluntary and made without coercion, and
4. the marriage would not be detrimental to the minor.

The bill eliminates this exception, prohibiting anyone under age 18 from marrying under any circumstances. Under existing law, unchanged by the bill, a person is generally prohibited from marrying if he or she (1) is already in a marriage, or relationship substantially similar to a marriage, in this or another state or jurisdiction; (2) is under a conservatorship, unless the conservator consents; or (3) is so closely related to his or her intended spouse that their marriage would be incestuous under Connecticut law.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 31 Nay 6 (03/27/2023)