



PA 23-44—HB 6569

Judiciary Committee

AN ACT CONCERNING THE MINIMUM AGE TO BE ELIGIBLE TO MARRY

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

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

The act also makes a conforming change.

EFFECTIVE DATE: July 1, 2023

EXCEPTION FOR 16- AND 17-YEAR-OLDS ELIMINATED

Under prior law, a 16- or 17-year-old could only get a marriage license if the probate court where the minor resides approved a petition filed on the minor's behalf by his or her parent or guardian. To do so, the court had to 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 were required to attend the hearing, and the court had the discretion to require the other party to the marriage to attend the hearing. After the hearing, the court could approve the license if it found that the following conditions were met:

1. the petitioning parent or guardian consented to the marriage,
2. the minor (a) consented to the marriage based on an understanding of the nature and consequences of marriage and (b) was sufficiently capable of making that decision,
3. the minor's decision to marry was voluntary and made without coercion, and
4. the marriage would not be detrimental to the minor.

The act eliminates this exception, prohibiting anyone under age 18 from marrying under any circumstances.