

HB1147/748773/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1147
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Minors – Emancipation” and substitute “Marriage – Age Requirements and Rights of Adulthood”; and strike line 3 in its entirety.

On pages 1 and 2, strike beginning with “extending” in line 4 on page 1 down through “minor.” in line 2 on page 2 and substitute “authorizing certain individuals under the age of majority to marry if the court finds, after an evidentiary hearing, that it is in the best interest of the individual to marry; repealing a certain provision allowing certain individuals under the age of majority to marry under certain circumstances; requiring the clerk to obtain and include as part of the clerk’s record a copy of a certain court order; requiring the clerk, when issuing an individual under the age of majority a marriage license, to also issue the individual a certain order that confers on the petitioner all of the rights and responsibilities of legal adulthood; making conforming changes; and generally relating to marriage.”.

On page 2, in line 5, strike “1–201(b),”; in the same line, strike “2–402(e),”; after line 7, insert:

“BY repealing and reenacting, without amendments,

Article – Family Law

Section 2–402(e)

Annotated Code of Maryland

(2012 Replacement Volume and 2018 Supplement)”;

and strike beginning with “5-2A-01” in line 10 down through “Minor” in line 11 and substitute “2-405.1”.

(Over)

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AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 22 on page 2 through line 8 on page 3, inclusive.

On page 3, in line 10, strike the brackets; in line 11, strike the bracket; strike beginning with the bracket in line 12 down through the bracket in line 14; in line 14, strike the comma and substitute “:

(I)”;

in line 18, after “child” insert “;**OR**

(II) A CIRCUIT COURT JUDGE, AFTER AN EVIDENTIARY HEARING, GRANTS A PETITION FOR A MARRIAGE LICENSE FILED BY AN INDIVIDUAL TO BE MARRIED”;

strike beginning with the bracket in line 18 down through “CLERK.” in line 22; in line 29, strike “17” and substitute “**16**”; and after line 29, insert:

“(C) IN MAKING A DETERMINATION ON A PETITION FOR A MARRIAGE LICENSE UNDER SUBSECTION (A)(2)(II) OF THIS SECTION, THE JUDGE SHALL CONSIDER WHETHER IT IS IN THE BEST INTEREST OF THE INDIVIDUAL TO MARRY.”

On page 4, in lines 2, 3, 5, 6, 8, 10, 16, 18, and 21, in each instance, strike the bracket; in line 6, strike the second “or”; in lines 6 and 7, strike “A CERTIFIED COPY OF AN ORDER OF EMANCIPATION” and substitute “,**OR AN ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE**”; in line 8, strike “or” and substitute a comma; in lines 8 and 9, strike “**REVIEW THE CERTIFIED COPY OF THE**

ORDER OF EMANCIPATION” and substitute “, OR A COPY OF THE ORDER OF THE COURT”; in line 12, strike “or”; in line 14, after “person” insert “; OR

3. A COPY OF THE ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE UNDER § 2-301 OF THIS TITLE”;

strike beginning with “A” in line 16 down through “TITLE” in line 17; and after line 21, insert:

“2-405.1.

(A) IF THE CLERK ISSUES A LICENSE UNDER THIS SUBTITLE TO A PARTY OF AN AGE WHERE PARENTAL CONSENT AND OATH, A LICENSED PHYSICIAN’S CERTIFICATE, OR ORDER OF THE COURT, REQUIRED BY § 2-301 OF THIS TITLE, IS REQUIRED, THE CLERK SHALL ISSUE THE INDIVIDUAL A CERTIFIED ORDER THAT SHALL CONFER ON THE INDIVIDUAL ALL OF THE RIGHTS AND RESPONSIBILITIES OF LEGAL ADULTHOOD, INCLUDING THE RIGHT TO:

(1) ENTER INTO ENFORCEABLE CONTRACTUAL RELATIONSHIPS INCLUDING LEASE AGREEMENTS, REAL ESTATE TRANSACTIONS, AND AGREEMENTS FOR THE PROVISION OF UTILITIES;

(2) SUE AND BE SUED IN THE PETITIONER’S OWN NAME;

(3) EARN A LIVING AND RETAIN THE EARNINGS FREE OF CONTROL BY A PARENT OR LEGAL GUARDIAN;

(4) ESTABLISH A DOMICILE OR RESIDENCE SEPARATE FROM A PARENT OR LEGAL GUARDIAN;

(Over)

(5) ACT AUTONOMOUSLY AND WITH THE RIGHTS AND RESPONSIBILITIES OF AN ADULT IN BUSINESS RELATIONSHIPS;

(6) AUTHORIZE HEALTH CARE INCLUDING PREVENTIVE CARE, DENTAL CARE, AND MENTAL HEALTH CARE, WITHOUT THE KNOWLEDGE OR LIABILITY OF A PARENT OR LEGAL GUARDIAN;

(7) FILE AN INDIVIDUAL STATE INCOME TAX RETURN;

(8) REGISTER FOR SCHOOL;

(9) APPLY FOR A DRIVER'S LICENSE OR OTHER STATE IDENTIFICATION FOR WHICH THE PETITIONER IS ELIGIBLE;

(10) APPLY FOR PUBLIC ASSISTANCE AND BENEFITS ADMINISTERED BY THE STATE AND VARIOUS COUNTIES;

(11) EXECUTE A WILL OR CODICIL; AND

(12) MARRY.

(B) THE ORDER UNDER THIS SECTION DOES NOT HAVE THE SAME EFFECT AS THE PETITIONER REACHING THE AGE OF MAJORITY FOR THE PURPOSES OF:

(1) VOTING;

(2) THE PURCHASE, POSSESSION, OR CONSUMPTION OF ALCOHOLIC BEVERAGES;

(3) THE PURCHASE, POSSESSION, OR CONSUMPTION OF TOBACCO PRODUCTS OR ELECTRONIC NICOTINE DELIVERY SYSTEMS;

(4) COMPULSORY SCHOOL ATTENDANCE;

(5) HEALTH AND SAFETY REGULATIONS INCLUDING WORKPLACE REGULATIONS DESIGNED TO PROTECT THOSE UNDER THE AGE OF 18 YEARS; OR

(6) THE PROVISIONS OF TITLE 3, SUBTITLE 8A OF THE COURTS ARTICLE OR § 4-202, § 4-202.1, OR § 4-202.2 OF THE CRIMINAL PROCEDURE ARTICLE.

(C) A LICENSE ISSUED TO AN INDIVIDUAL UNDER THIS SECTION SHALL BECOME EFFECTIVE ON THE DATE OF THE INDIVIDUAL'S MARRIAGE CEREMONY UNDER § 2-406 OF THIS TITLE."

On pages 4 through 8, strike in their entirety the lines beginning with line 22 on page 4 through line 12 on page 8, inclusive.

On page 8, in lines 16 and 17, strike "TITLE 5, SUBTITLE 2A" and substitute "**§ 2-405.1**".