D4 6lr1263

By: Delegates Atterbeary, Morales, Anderson, Conaway, Folden, Kelly, Lierman, Lisanti, McComas, Moon, Pendergrass, Rosenberg, Smith, Sydnor, Turner, Valderrama, B. Wilson, and C. Wilson

Introduced and read first time: February 10, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

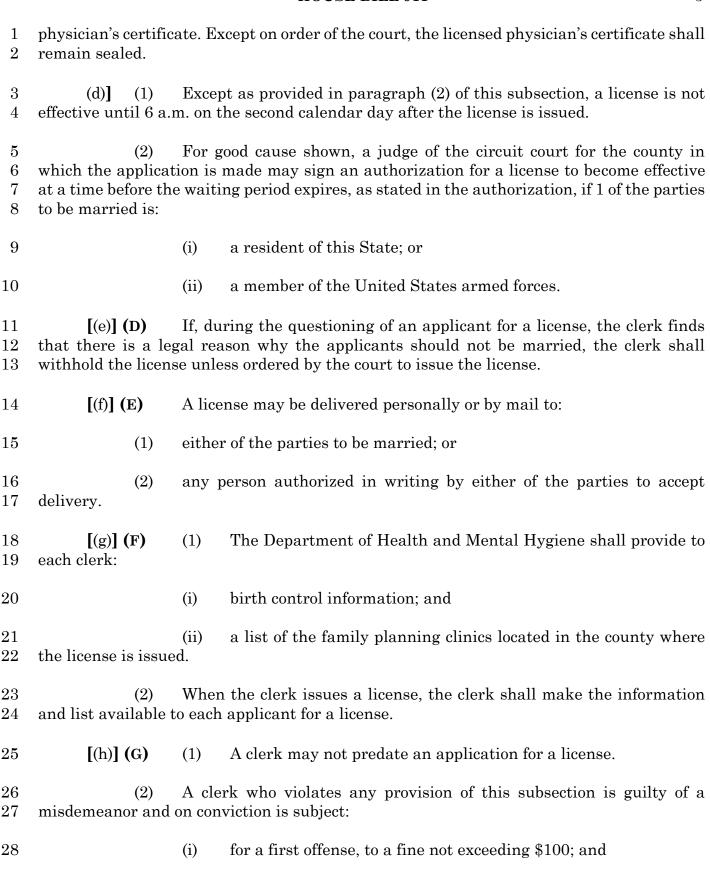
1	AN AUT concerning
2	Family Law - Marriage - Age Requirements
3 4 5	FOR the purpose of repealing certain provisions authorizing certain individuals under the age of majority to marry under certain circumstances; making certain conforming changes; and generally relating to marriage.
6 7 8 9	BY repealing and reenacting, with amendments, Article – Family Law Section 2–301, 2–402(f), and 2–405 Annotated Code of Maryland (2012 Replacement Volume and 2015 Supplement)
$\frac{1}{2}$	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
13	Article – Family Law
4	2–301.
15	(a) An individual 16 or 17 years old may not marry unless:
16 17	(1) the individual has the consent of a parent or guardian and the parent or guardian swears that the individual is at least 16 years old; or
18	(2) if the individual does not have the consent of a parent or guardian,

either party to be married gives the clerk a certificate from a licensed physician, licensed

physician assistant, or certified nurse practitioner stating that the physician, physician



- assistant, or nurse practitioner has examined the woman to be married and has found that she is pregnant or has given birth to a child.
- 3 (b) An individual 15 years old may not marry unless:
- 4 (1) the individual has the consent of a parent or guardian; and
- 5 (2) either party to be married gives the clerk a certificate from a licensed 6 physician, licensed physician assistant, or certified nurse practitioner stating that the 7 physician, physician assistant, or nurse practitioner has examined the woman to be 8 married and has found that she is pregnant or has given birth to a child.
- 9 (c) An individual under the age of [15] 18 may not marry.
- 10 2-402.
- 11 (f) Until a license becomes effective, a clerk may not disclose the fact that 12 an application for a license has been made [except to the parent or guardian of a party to 13 be married].
- 14 2–405.
- 15 (a) The clerk for the county in which a marriage ceremony is to be performed may 16 issue and deliver a license at the time the application is made.
- 17 (b) A license may be issued only at the office of the clerk during regular office 18 hours.
- 19 (c) **[**(1) If either party to be married is known to be of an age where the parental 20 or guardian's consent and oath, or the licensed physician's certificate, required by § 2–301 of this title, is required, the clerk shall obtain the consent and oath or the certificate before 22 issuing the license.
- 23 (2) (i) The clerk's record required under this title shall include:
- 24 1. the consent and oath required by § 2–301 of this title, if 25 written; or
- 26 2. the fact that consent was given and an oath was made, if given and made in person.
- 28 (ii) The licensed physician's certificate required by  $\S 2-301$  of this 29 title may not be made a part of the clerk's record.
- 30 (3) After an individual has been issued a license in accordance with the 31 provisions of this subtitle, the clerk who issued the license shall seal the licensed



for each subsequent offense, to a fine not exceeding \$500 or

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imprisonment not exceeding 90 days or both.

## **HOUSE BILL 911**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.