

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 861

(Senator Smith, *et al.*)

Judicial Proceedings

Judiciary

Family Law - Marriage - Age Requirements

This bill repeals provisions authorizing individuals age 15 to marry under specified circumstances and establishes that individuals younger than age 16 may not marry.

Fiscal Summary

State Effect: Any minimal decrease in marriage license fee revenues does not materially impact State finances. Expenditures are not materially affected.

Local Effect: Any minimal decrease in marriage license fee revenues does not materially impact local finances. Expenditures are not materially affected.

Small Business Effect: None.

Analysis

Current Law: An individual younger than age 15 may not marry. An individual age 16 or 17 may not marry unless (1) the individual has the consent of a parent or guardian, and the parent or guardian swears the individual is at least age 16 or (2) if the individual does not have consent, either party to be married presents the clerk of the circuit court a certificate from a licensed physician or physician assistant or certified nurse practitioner stating that an examination of the woman to be married demonstrates that she is pregnant or has given birth to a child. An individual who is age 15 may not marry without consent of a parent or guardian and a certificate from a medical professional, as specified above.

Additional Information

Prior Introductions: HB 911 of 2016, a similar bill, passed the House as amended and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken.

Cross File: Although designated as a cross file, HB 484 (Delegate Atterbeary, *et al.* – Judiciary) is different.

Information Source(s): Montgomery and Worcester counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2017
md/kdm Third Reader - April 4, 2017
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