



Secular Maryland

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The Honorable William C. Smith Jr.
Judicial Proceedings Committee
2 East Miller Senate Office Building
Annapolis, MD 21401-1991

Re: FAVORABLE SB0029(HB0083) Family Law - Emancipation of a Minor and Authorization to Marry

Chairman and Members of the Committee

Secular Maryland calls on the General Assembly to pass this bill. This bill proposes needed improvements to Maryland's irresponsibly weak marriage law. According to Family Law §2-301, a person can marry at the age of 16 or 17 if there is parental consent or the woman to be married is pregnant or has a child, in which case a parent merely needs to assert how old the child is. A 15 year old can marry when there is both parental consent and the woman is pregnant or has a birth child. Currently there is no meaningful state oversight to ensure that all parties to the marriage actually are at least 15 or that the marriage is not coerced. Early marriages are positively correlated with negative effects on health and education and increased likelihood of domestic violence. Given the higher negative risks, additional state oversight will likely reduce counterproductive early marriage outcomes.

This bill raises the minimum marriage age to 17 and forbids a 17 year old from marrying anyone over 21 years old. It blocks citing pregnancy, or a child, or parental approval as sufficient justification. It imposes judicial oversight for anyone 17 years old. It requires legal emancipation as a prerequisite. These are meaningful improvements.

Even with these additional protections, limited legal rights and lack of financial independence still leaves the under 18 population vulnerable to a coerced marriage. It would be simpler and better to raise the minimum age to 18. Four states, Delaware, Minnesota, New Jersey, and Pennsylvania, do not allow anyone under 18 to marry.