
Civil Rights & Judiciary Committee

HB 1455

Brief Description: Eliminating child marriage.

Sponsors: Representatives Stonier, Berry, Farivar, Rude, Fey, Reed, Morgan, Thai, Fosse, Pollet, Macri and Bateman.

Brief Summary of Bill

- Provides that a marriage entered into in which either person has not attained the age of 18 years is void.
- Eliminates provisions authorizing a court to waive the age requirement on a showing of necessity.

Hearing Date: 1/31/23

Staff: Yelena Baker (786-7301).

Background:

Marriage is a civil contract between two persons who have each attained the age of 18 years and who are otherwise capable.

Before issuing a marriage license, the county auditor must require each applicant to file an affidavit showing that the applicants are at least 18 years of age. A marriage license may be granted to a 17-year-old applicant with the written consent from the applicant's father, mother, or legal guardian.

A marriage entered into in which either party was incapable of consent because the party has not attained legal age is voidable by the underage party. A marriage entered into in which either person has not attained the age of 17 years is void, except where the age requirement has been

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waived based on a showing of necessity by the judge of the superior court of the county in which one of the parties resides.

Summary of Bill:

A marriage that is entered into on or after the effective date of the bill and in which either person has not attained the age of 18 years is void.

Provisions authorizing a superior court judge to waive the age requirement and the county auditor to issue marriage licenses to 17-year-old applicants are removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.