

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 545

S.P. 167

In Senate, January 31, 2019

An Act To Ban Child Marriage

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MIRAMANT of Knox.
Cosponsored by Representative COSTAIN of Plymouth and
Senators: CYRWAY of Kennebec, GRATWICK of Penobscot, LIBBY of Androscoggin,
Representatives: BEEBE-CENTER of Rockland, EVANGELOS of Friendship, MATLACK of
St. George.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 19-A MRSA §652, sub-§8**, as amended by PL 1997, c. 683, Pt. E, §5 and
3 affected by §6, is further amended to read:

4 **8. Parties under 16 years of age.** The clerk may not issue a marriage license to a
5 person under 16 years of age ~~without:~~

6 ~~A. The written consent of that minor's parents, guardians or persons to whom a court~~
7 ~~has given custody;~~

8 ~~B. Notifying the judge of probate in the county in which the minor resides of the~~
9 ~~filing of this intention; and~~

10 ~~C. Receipt of that judge of probate's written consent to issue the license. The judge~~
11 ~~of probate shall base a decision on whether to issue consent on the best interest of the~~
12 ~~parties under 16 years of age and shall consider the age of both parties and any~~
13 ~~criminal record of a party who is 18 years of age or older. The judge of probate, in~~
14 ~~the interest of public welfare, may order, after notice and opportunity for hearing, that~~
15 ~~a license not be issued. The judge of probate shall issue a decision within 30 days of~~
16 ~~receiving the notification under paragraph B.~~

17 **SUMMARY**

18 Under current law, a marriage license may be issued to parties who are under 16
19 years of age with the written consent of their parents, guardians or legal custodians and
20 the consent of the probate judge in the county where each minor resides. This bill amends
21 the law to prohibit the issuance of a marriage license to a person under 16 years of age.