

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Ban Child Marriage

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

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

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

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

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

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

SUMMARY

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