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H.631

Introduced by Representatives Ode of Burlington, Bluemle of Burlington,
Burke of Brattleboro, Coffey of Guilford, Bongartz of
Manchester, Noyes of Wolcott, and Satcowitz of Randolph

Referred to Committee on

Date:

Subject: Civil marriage; age of eligibility to marry

Statement of purpose of bill as introduced: This bill proposes to raise the age
at which a person may obtain a civil marriage to 18 years of age.

An act relating to raising the age of eligibility to marry

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. SHORT TITLE

This act may be cited as the “Act to Ban Child Marriage.”

Sec. 2. 18 V.S.A. § 5142 is amended to read:

§ 5142. PERSONS NOT AUTHORIZED TO MARRY

The following persons are not authorized to marry, and a town clerk shall
not knowingly issue a civil marriage license, when:

(1) either party is ~~a person who has not attained majority, unless the
town clerk has received in writing the consent of one of the parents of the~~

1 ~~minor, if there is a parent competent to act, or of the guardian of the minor~~
2 under 18 years of age;

3 (2) ~~either party is under 16 years of age;~~

4 (3) ~~either of the parties~~ party is mentally incapable of entering into
5 marriage as defined in 15 V.S.A. § 514;

6 (4)~~(3)~~ ~~either of the parties~~ party is under guardianship, ~~without the~~
7 ~~written consent of the party's guardian;~~

8 (5)~~(4)~~ [Repealed.]

9 (6)~~(5)~~ the parties are prohibited from marrying under 15 V.S.A. § 1a on
10 account of consanguinity or affinity; or

11 (7)~~(6)~~ ~~either of the parties~~ party has a ~~wife or husband~~ living spouse, as
12 prohibited under 13 V.S.A. § 206 (bigamy).

13 Sec. 3. 33 V.S.A. § 5102(16)(A) is amended to read:

14 (16)(A) "Custody" means the legal status created by order of the court
15 under the authority of the juvenile judicial proceedings chapters for children
16 under 18 years of age that invests in a party to a juvenile proceeding or another
17 person the following rights and responsibilities:

18 * * *

19 (iv) the authority to make decisions that concern the child and are
20 of substantial legal significance, including the authority to consent to ~~civil~~

1 ~~marriage and~~ enlistment in the U.S. Armed Forces; and the authority to
2 represent the child in legal actions.

3 Sec. 4. EFFECTIVE DATE

4 This act shall take effect on passage.