

HB 1495

2006

1 A bill to be entitled
2 An act relating to marriage licenses; amending s.
3 741.0405, F.S.; deleting provisions authorizing the court
4 to issue a marriage license upon the sworn application
5 that both minor applicants are the parents of a child or
6 the expectant parents of a child; deleting provisions
7 authorizing the court to issue a marriage license upon
8 written verification by a physician and sworn application
9 that the minor female applicant is an expectant parent;
10 providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 741.0405, Florida Statutes, is amended
15 to read:

16 741.0405 When marriage license may be issued to persons
17 under 18 years.--

18 (1) If either of the parties shall be under the age of 18
19 years but at least 16 years of age, the county court judge or
20 clerk of the circuit court shall issue a license for the
21 marriage of such party only if there is first presented and
22 filed with him or her the written consent of the parents or
23 guardian of such minor to such marriage, acknowledged before
24 some officer authorized by law to take acknowledgments and
25 administer oaths. However, the license shall be issued without
26 parental consent when both parents of such minor are deceased at
27 the time of making application or when such minor has been
28 married previously.

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29 ~~(2) The county court judge of any county in the state may,~~
30 ~~in the exercise of his or her discretion, issue a license to~~
31 ~~marry to any male or female under the age of 18 years, upon~~
32 ~~application of both parties sworn under oath that they are the~~
33 ~~parents of a child.~~

34 ~~(3) When the fact of pregnancy is verified by the written~~
35 ~~statement of a licensed physician, the county court judge of any~~
36 ~~county in the state may, in his or her discretion, issue a~~
37 ~~license to marry:~~

38 ~~(a) To any male or female under the age of 18 years upon~~
39 ~~application of both parties sworn under oath that they are the~~
40 ~~expectant parents of a child; or~~

41 ~~(b) To any female under the age of 18 years and male over~~
42 ~~the age of 18 years upon the female's application sworn under~~
43 ~~oath that she is an expectant parent.~~

44 (2)(4) No license to marry shall be granted to any person
45 under the age of 16 years, with or without the consent of the
46 parents, ~~except as provided in subsections (2) and (3).~~

47 Section 2. This act shall take effect July 1, 2006.