

By Senator Atwater

25-1650-06

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

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14 Be It Enacted by the Legislature of the State of Florida:
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16 Section 1. Section 741.0405, Florida Statutes, is
17 amended to read:

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

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

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

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

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

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

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

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

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22 SENATE SUMMARY

23 Repeals provisions authorizing the court to issue a
24 marriage license upon the sworn application that both
25 minor applicants are the parents of a child or the
26 expectant parents of a child. Repeals provisions
27 authorizing the court to issue a marriage license upon
28 written verification by a physician and sworn application
29 that the minor female applicant is an expectant parent.
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