

Amendment No.2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representatives Fitzenhagen and Grall offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Section 741.0405, Florida Statutes, is amended
 7 to read:

8 741.0405 When marriage license may be issued to persons
 9 under 18 years.-

10 (1) Notwithstanding s. 743.015, if either of the parties
 11 is shall be under the age of 18 years but at least 16 years of
 12 age and one party is no more than 2 years older than the other,
 13 the county court judge or clerk of the circuit court shall issue
 14 a license for ~~the marriage of such party~~ only if the parties
 15 present and file with him or her:

16 (a) A written statement of a licensed physician verifying

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17 pregnancy;

18 (b) An affidavit affirming paternity, signed by both
19 parties; and

20 (c) There is first presented and filed with him or her The
21 written consent of the parents or guardian of each such minor to
22 such marriage, acknowledged before an some officer authorized by
23 law to take acknowledgments and administer oaths. However, the
24 license shall be issued without parental consent when both
25 parents of each such minor are deceased at the time of ~~making~~
26 application, ~~or~~ when each such minor to such marriage has been
27 married previously, or each minor to such marriage has had
28 disabilities of nonage removed pursuant to s. 743.015.

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~~

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42 ~~the age of 18 years upon the female's application sworn under~~
43 ~~oath that she is an expectant parent.~~

44 ~~(2)-(4) A~~ No license to marry may not shall be issued
45 ~~granted~~ to any person under the age of 16 years, ~~with or without~~
46 ~~the consent of the parents, except as provided in subsections~~
47 ~~(2) and (3).~~

48 Section 2. This act shall take effect July 1, 2018.

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T I T L E A M E N D M E N T

52 Remove everything before the enacting clause and insert:
53 An act relating to marriage of minors; amending s. 741.0405,
54 F.S.; providing a limited exception to the prohibition against
55 issuing a marriage license to any person under the age of 18
56 years; providing an effective date.