

1 A bill to be entitled
 2 An act relating to marriage of minors; amending s.
 3 741.0405, F.S.; providing requirements for the
 4 issuance of a marriage license to persons under the
 5 age of 18 years but at least 16 years of age; revising
 6 circumstances in which parental consent is not
 7 required; providing that persons under the age of 16
 8 years may not be issued a marriage license; providing
 9 an effective date.

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

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

15 741.0405 When marriage license may be issued to persons
 16 under 18 years.—

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

23 (a) A written statement of a licensed physician verifying
 24 pregnancy.

25 (b) An affidavit affirming paternity, signed by both

26 parties.

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

36 ~~(2) The county court judge of any county in the state may,~~
 37 ~~in the exercise of his or her discretion, issue a license to~~
 38 ~~marry 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 ~~parents of a child.~~

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

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

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

51 (2)-(4) A ~~No~~ license to marry may not shall be issued
52 granted to any person under the age of 16 years, ~~with or without~~
53 ~~the consent of the parents, except as provided in subsections~~
54 ~~(2) and (3)~~.

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