
OLR Bill Analysis

HB 6569

AN ACT CONCERNING THE MINIMUM AGE TO BE ELIGIBLE TO MARRY.

SUMMARY

This bill prohibits anyone under age 18 from being issued a marriage license under any circumstances. It does so by removing an exception in current law that generally allows a 16- or 17-year-old to get a marriage license if the probate court approves a petition filed by the minor's parent or guardian.

Under the bill, emancipated minors are also no longer eligible to marry. Under current law, emancipated minors are treated as adults for marriage purposes and are eligible to marry at age 16 or 17. (By law, a minor must be at least age 16 to be emancipated.)

EFFECTIVE DATE: July 1, 2023

EXCEPTION FOR 16- AND 17-YEAR-OLDS ELIMINATED

Under current law, a 16- or 17-year-old may only get a marriage license if the probate court where the minor resides approves a petition filed on the minor's behalf by his or her parent or guardian. The court must schedule a hearing on the petition and notify the minor, his or her parents or guardians, and the other party to the intended marriage. The minor and the petitioning parent or guardian must attend the hearing, and the court may, at its discretion, also require the other party to the marriage to attend the hearing. After a hearing on the petition, the court may approve the license if it finds that the following conditions are met:

1. the petitioning parent or guardian consents to the marriage,
2. the minor (a) consents to the marriage based on an understanding of the nature and consequences of the marriage

and (b) is sufficiently capable of making that decision,

3. the minor's decision to marry is voluntary and made without coercion, and
4. the marriage would not be detrimental to the minor.

The bill eliminates this exception, prohibiting anyone under age 18 from marrying under any circumstances. Under existing law, unchanged by the bill, a person is generally prohibited from marrying if he or she (1) is already in a marriage, or relationship substantially similar to a marriage, in this or another state or jurisdiction; (2) is under a conservatorship, unless the conservator consents; or (3) is so closely related to his or her intended spouse that their marriage would be incestuous under Connecticut law.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 31 Nay 6 (03/27/2023)