

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HOUSE BILL 2006

AN ACT

AMENDING SECTION 25-102, ARIZONA REVISED STATUTES; REPEALING SECTION 25-122, ARIZONA REVISED STATUTES; RELATING TO MARRIAGE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-102, Arizona Revised Statutes, is amended to
3 read:

4 25-102. Consent required for marriage of minors

5 A. ~~Persons~~ A PERSON WHO IS AT LEAST SIXTEEN YEARS OF AGE AND WHO IS
6 under eighteen years of age ~~shall not~~ MAY marry ~~without the consent of the~~
7 ~~parent or guardian having custody of such person.~~ ONLY IF ONE OF THE
8 FOLLOWING IS TRUE:

9 1. THE PERSON HAS RECEIVED AN EMANCIPATION ORDER PURSUANT TO TITLE
10 12, CHAPTER 15 OR FROM A COURT IN ANOTHER STATE AND THE PERSON'S
11 PROSPECTIVE SPOUSE IS NOT MORE THAN THREE YEARS OLDER THAN THE PERSON.

12 2. THE PARENT OR GUARDIAN WHO HAS CUSTODY OF THE PERSON CONSENTS TO
13 THE MARRIAGE AND THE PERSON'S PROSPECTIVE SPOUSE IS NOT MORE THAN THREE
14 YEARS OLDER THAN THE PERSON.

15 B. Persons WHO ARE under sixteen years of age shall not marry.
16 ~~without the consent of the parent or guardian having custody of that~~
17 ~~person and the approval of any superior court judge in the state. When~~
18 ~~both parents are living the consent of either parent is sufficient. When~~
19 ~~the parents are living apart, the consent shall be given by the parent who~~
20 ~~has the custody of the minor.~~

21 ~~B. Before authorizing the marriage of a person who is under sixteen~~
22 ~~years of age, the court:~~

23 1. ~~Shall require both parties to the marriage to complete~~
24 ~~premarital counseling. The court may waive this requirement if the court~~
25 ~~determines that premarital counseling is not reasonably available.~~

26 2. ~~Must find that the minor is entering into the marriage~~
27 ~~voluntarily.~~

28 3. ~~Must find that the marriage is in the best interests of the~~
29 ~~minor under the circumstances.~~

30 4. ~~May require that the minor continue to attend school.~~

31 5. ~~May require any other condition that the court determines is~~
32 ~~reasonable under the circumstances.~~

33 ~~C. A marriage shall not take place under this section if it is~~
34 ~~prohibited by the law relating to prohibited and void marriages.~~

35 C. THE CLERK OF THE SUPERIOR COURT MAY NOT ISSUE A LICENSE TO A
36 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE AND WHO DOES NOT MEET THE
37 REQUIREMENTS OF SUBSECTION A OF THIS SECTION.

38 Sec. 2. Repeal

39 Section 25-122, Arizona Revised Statutes, is repealed.