

REFERENCE TITLE: marriage; minimum age

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

HB 2006

Introduced by
Representative Ugenti-Rita

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. Minimum age for marriage

5 A. ~~Persons~~ A PERSON WHO IS under eighteen years of age shall not
6 marry. ~~without the consent of the parent or guardian having custody of~~
7 ~~such person. Persons under sixteen years of age shall not marry without~~
8 ~~the consent of the parent or guardian having custody of that person and~~
9 ~~the approval of any superior court judge in the state. When both parents~~
10 ~~are living the consent of either parent is sufficient. When the parents~~
11 ~~are living apart, the consent shall be given by the parent who has the~~
12 ~~custody of the minor.~~

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

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

18 2. ~~Must find that the minor is entering into the marriage~~
19 ~~voluntarily.~~

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

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

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

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

27 B. THE CLERK OF THE SUPERIOR COURT SHALL NOT ISSUE A LICENSE TO A
28 PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE.

29 Sec. 2. Repeal

30 Section 25-122, Arizona Revised Statutes, is repealed.