

HB0911/492713/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 911

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “circumstances” in line 4 and substitute “prohibiting, subject to a certain exception, an individual under the age of 18 from marrying”; in line 4, after the semicolon insert “authorizing an individual 16 or 17 years old to marry under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 9, strike “An” and substitute “(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN”; and after line 9, insert:

“(B) (1) AN INDIVIDUAL 16 OR 17 YEARS OLD MAY MARRY IF:

(I) THE INDIVIDUAL HAS THE CONSENT OF A PARENT OR GUARDIAN AND THE PARENT OR GUARDIAN SWEARS THAT THE INDIVIDUAL IS AT LEAST 16 YEARS OLD;

(II) THE OTHER PARTY IS NO MORE THAN 4 YEARS OLDER THAN THE INDIVIDUAL; AND

(III) A JUDGE OF THE CIRCUIT COURT, AFTER AN EVIDENTIARY HEARING, GRANTS A PETITION FOR A MARRIAGE LICENSE FILED BY THE PARENT OR GUARDIAN.

(2) IN MAKING A DETERMINATION ON A PETITION FOR A MARRIAGE LICENSE UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION, THE JUDGE SHALL CONSIDER WHETHER:

(Over)

(I) 1. IT IS THE MINOR'S OWN WILL TO ENTER INTO THE MARRIAGE; OR

2. THE MINOR IS BEING COMPELLED TO ENTER INTO THE MARRIAGE AGAINST THE MINOR'S WILL BY FORCE, THREATS, PERSUASION, MENACE, OR DURESS;

(II) THE PARTIES TO BE MARRIED ARE MATURE ENOUGH TO MAKE A DECISION TO MARRY; AND

(III) THE MARRIAGE WILL ENDANGER THE SAFETY OF THE MINOR.

(3) IN MAKING A FINDING UNDER PARAGRAPH (2)(III) OF THIS SUBSECTION, THE COURT SHALL CONSIDER:

(I) WHETHER EITHER INDIVIDUAL TO BE MARRIED HAS BEEN CONVICTED OF:

1. A CRIME OF VIOLENCE, AS DEFINED IN § 14-101 OF THE CRIMINAL LAW ARTICLE;

2. ASSAULT IN THE SECOND DEGREE;

3. BATTERY; OR

4. ANY DOMESTICALLY RELATED CRIME; AND

(II) ANY HISTORY OF VIOLENCE BETWEEN THE PARTIES TO BE MARRIED.”;

in line 19, strike the bracket; in line 20, strike “, or the licensed physician’s certificate” and substitute “**AND AN ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE**”; in line 21, strike “or the certificate” and substitute “**AND A COPY OF THE ORDER OF COURT**”; in line 23, strike “(i)”; in line 24, before “1.” insert “**(I)**”; and in line 27, after “person” insert “;**AND**”

(II) A COPY OF THE ORDER OF COURT GRANTING A PETITION FOR A MARRIAGE LICENSE UNDER § 2-301 OF THIS TITLE”.

On pages 2 and 3, strike in their entirety the lines beginning with line 28 on page 2 down through line 2 on page 3, inclusive.

On page 3, in lines 3, 11, 14, 18, and 25, in each instance, strike the bracket; and in lines 11, 14, 18, and 25, strike “**(D)**”, “**(E)**”, “**(F)**”, and “**(G)**”, respectively.