

1 A bill to be entitled
 2 An act relating to marriage of minors; amending s.
 3 741.0405, F.S.; prohibiting the issuance of a marriage
 4 license to any person under the age of 18 years;
 5 amending s. 741.04, F.S.; conforming a provision to
 6 changes made by the act; providing an effective date.

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

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 10 Section 1. Section 741.0405, Florida Statutes, is amended
 11 to read:

12 741.0405 ~~When~~ Marriage license may not be issued to
 13 persons under 18 years.-

14 ~~(1) If either of the parties shall be under the age of 18~~
 15 ~~years but at least 16 years of age, the county court judge or~~
 16 ~~clerk of the circuit court shall issue a license for the~~
 17 ~~marriage of such party only if there is first presented and~~
 18 ~~filed with him or her the written consent of the parents or~~
 19 ~~guardian of such minor to such marriage, acknowledged before~~
 20 ~~some officer authorized by law to take acknowledgments and~~
 21 ~~administer oaths. However, the license shall be issued without~~
 22 ~~parental consent when both parents of such minor are deceased at~~
 23 ~~the time of making application or when such minor has been~~
 24 ~~married previously.~~

25 ~~(2) The county court judge of any county in the state may,~~

26 ~~in the exercise of his or her discretion, issue a license to~~
 27 ~~marry to any male or female under the age of 18 years, upon~~
 28 ~~application of both parties sworn under oath that they are the~~
 29 ~~parents of a child.~~

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

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

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

40 ~~(4) A No license to marry may not shall be issued granted~~
 41 ~~to any person under the age of 18 16 years, with or without the~~
 42 ~~consent of the parents, except as provided in subsections (2)~~
 43 ~~and (3).~~

44 Section 2. Subsection (1) of section 741.04, Florida
 45 Statutes, is amended to read:

46 741.04 Marriage license issued.-

47 (1) A No county court judge or clerk of the circuit court
 48 in this state may not shall issue a license for the marriage of
 49 any person unless there is shall be first presented and filed
 50 with him or her an affidavit in writing, signed by both parties

51 to the marriage, providing the social security numbers or any
52 other available identification numbers of each party, made and
53 subscribed before some person authorized by law to administer an
54 oath, reciting the true and correct ages of such parties; unless
55 both ~~such~~ parties shall be over the age of 18 years, ~~except as~~
56 ~~provided in s. 741.0405;~~ and unless one party is a male and the
57 other party is a female. Pursuant to the federal Personal
58 Responsibility and Work Opportunity Reconciliation Act of 1996,
59 each party is required to provide his or her social security
60 number in accordance with this section. The state has a
61 compelling interest in promoting not only marriage but also
62 responsible parenting, which may include the payment of child
63 support. Any person who has been issued a social security number
64 shall provide that number. Disclosure of social security numbers
65 or other identification numbers obtained through this
66 requirement shall be limited to the purpose of administration of
67 the Title IV-D program for child support enforcement. Any person
68 who is not a citizen of the United States may provide either a
69 social security number or an alien registration number if one
70 has been issued by the United States Bureau of Citizenship and
71 Immigration Services. Any person who is not a citizen of the
72 United States and who has not been issued a social security
73 number or an alien registration number is encouraged to provide
74 another form of identification. Nothing in this subsection shall
75 be construed to mean that a county court judge or clerk of the

76 | circuit court in this state shall not issue a marriage license
77 | to individuals who are not citizens of the United States if one
78 | or both of the parties are unable to provide a social security
79 | number, alien registration number, or other identification
80 | number.

81 | Section 3. This act shall take effect July 1, 2018.