

Statutory Text Compilation: Minimum Marriage Age and Exceptions across the United States

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The chart below serves as a legal resource for understanding state statutes on minimum marriage age in all 50 states, territories, and the District of Columbia.¹ It highlights the youngest age at which an individual may legally be married (the age “floor”), provides the text of key statutes on issuing marriage licenses to minors,² and links to the statutory text.

Most jurisdictions require the parties to be at least age 18 (the typical age of “majority,” or legal adulthood) to marry without parental consent or judicial approval. Age 18 is therefore often referred to as a state’s “statutory minimum marriage age.” That term can be misleading, however, because statutory exceptions can apply which in effect drop the true minimum marriage age much lower. 21 states and two territories allow parties between the ages of 16 and 18 to be married based on parental consent alone. Six states allow parties *younger than age 16* to be married; usually, but not always, based on judicial approval.³ In fact, *four states’ statutes actually set no bottom-line “age floor” for marriage* (that is, a lower limit below which a child *cannot* be married).

Lax statutory exceptions based on parental consent (which can conceal parental coercion) or pregnancy (which may be evidence of rape) can facilitate forced marriages and often leave older minors especially unprotected. Even when judicial approval is required, however, serious gaps in protection can exist. Among other shortcomings, judges are often given little to no guidance for their decision-making, and minors are seldom appointed counsel or afforded other rights in those proceedings. As a result, judges may merely rubber-stamp parental consent rather than act as independent gatekeepers against the abuse and exploitation of children under the guise of marriage.⁴

In this context a growing national movement has seen tremendous progress, as states recognize that their current laws put children at unacceptable risk. Since the Tahirih Justice Center spearheaded a 2016 campaign that made Virginia the first state to limit marriage to legal adults, a total of 36 states, three territories, and Washington, D.C. have enacted new laws to ban or limit child marriage.⁵ More reforms will be introduced in upcoming legislative sessions.⁶

For legislative updates and other information about child marriage in the United States, including additional state-specific and national legal analyses, please contact the Public Policy Manager Alex Goyette alexg@tahirih.org or visit www.tahirih.org/childmarriage.

At a Glance: How do Laws on Minimum Marriage Age Compare?⁷

- **16 states, 2 territories,⁸ and Washington, D.C. firmly set their minimum marriage age at the age of majority – 18, no exceptions:** American Samoa, Connecticut, District of Columbia, Delaware, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, Oregon, and U.S. Virgin Islands.
- **5 more states require parties to be legal adults (i.e., the only exception to age-18 is for court-emancipated minors):** Georgia, Indiana, Kentucky, Ohio, and Texas. Each of these states has an age floor of either 16 or 17. Together with the “age-18, no exceptions” states above, a total of 21 states now limit marriage to legal adults.
- **1 territory has an age-18 floor but sets a higher age of majority:** Puerto Rico’s age of majority is 21.
- **9 states have an age-17 floor:** Florida, Georgia, Kentucky, Maryland, Nevada, Nebraska⁹, Ohio, Oregon, and Tennessee.
- **20 states have an age-16 floor:** Alabama, Alaska, Arkansas, Arizona, Colorado, Idaho, Illinois, Indiana, Iowa, Louisiana, Montana, North Carolina, North Dakota, South Carolina, South Dakota, Texas, Utah, Wisconsin, West Virginia, and Wyoming.
- **2 states set an age floor below age 16:** Hawaii and Kansas (both at 15).
- **4 states and 2 territories do not set any age floor by statute:** California, Guam, Mississippi, New Mexico, Northern Mariana Islands, and Oklahoma. Some may suggest an age floor through case law or custom.
- **13 states and 1 territory require all minors to get judicial approval before they can marry:** California, Colorado, Georgia, Guam, Indiana, Iowa, Kentucky, Louisiana, Maryland, Montana, Nevada, Ohio, Texas, and Utah. Some jurisdictions’ judicial processes are bare bones, simply to verify parental consent, and may not even clearly require a judge to meet with or question the minor. Other judicial processes set several criteria and have detailed safeguards.¹⁰
- **In 10 states and 2 territories, clerks acting on their own – without judges – can issue marriage licenses for all minors that have reached the minimum age limit:** Alabama, Florida, Idaho, Nebraska, North Dakota, Northern Mariana Islands, Puerto Rico, South Carolina, South Dakota, Tennessee, Wisconsin, and West Virginia.
- **Only Mississippi and Northern Mariana Islands set different conditions for approvals for girls vs. boys.** In Mississippi judicial approval is required for all males under age 17, but for females, only if they are under age 15. In Northern Mariana Islands, for couples where one or both parties are not citizens of the Trust Territory, there is a minimum age of 18 for men but girls may marry at 16 with parental consent. All other states and territories have repealed gender-differentiated laws.
- **Only Mississippi and Northern Mariana Islands allow the marriage of minors younger than 16 without a judge involved.**
- **4 states and one territory permit pregnancy to lower the minimum marriage age:** Arkansas, Guam, Maryland, New Mexico, and Oklahoma.

State	Age Floor Set by Statute?	State Code Provisions
Alabama	16	<u>Ala. Code § 30-1-4</u> A person under the age of 16 years is incapable of contracting marriage. <u>Ala. Code § 30-1-5</u> If a person intending to marry is at least 16 years of age and under 18¹¹ years of age and has not had a former wife or husband, the consent of a parent or guardian of the minor to the marriage shall be required. Evidence of consent shall be in the form of an affidavit signed by a parent or guardian, notarized, and filed with the probate court.
Alaska	16	<u>Alaska Stat. § 25.05.011</u> (a) Marriage is a civil contract entered into by one man and one woman that requires both a license and solemnization. The man and the woman must each be at least one of the following: (1) 18 years of age or older and otherwise capable; (2) Qualified for a license under AS 25.05.171 [see below]; or (3) A member of the armed forces of the United States while on active duty. <u>Alaska Stat. § 25.05.171</u> (b) A superior court judge may grant permission for a person who has reached the age of 16 but is under the age of 18 to marry and may order the licensing officer to issue the license if the judge finds, following a hearing at which the parents and minor are given the opportunity to appear and be heard, that the marriage is in the best interest of the minor, that the other party to the marriage is not more than three years older, and that either (1) The parents have given their consent; or (2) The parents are (A) Arbitrarily and capriciously withholding consent; (B) Absent or otherwise unaccountable; (C) In disagreement among themselves on the question; or (D) Unfit to decide the matter.
Arizona	16	<u>Ariz. Rev. Stat. Ann. § 25-102</u> A. A person who is at least sixteen years of age and who is under eighteen years of age may marry only if one of the following is true: 1. The person has received an emancipation order¹² pursuant to Title 12, Chapter 15 or from a court in another state and the person's prospective spouse is not more than three years older than the person.

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		2. The parent or guardian who has custody of the person consents to the marriage and the person's prospective spouse is not more than three years older than the person. B. Persons who are under sixteen years of age shall not marry. C. The clerk of the superior court may not issue a license to a person who is under eighteen years of age and who does not meet the requirements of subsection A of this section.
Arkansas	16	<u>Ark. Code Ann. § 9-11-102</u> (a) Every male who is at least eighteen (18) years of age and every female who is at least eighteen (18) years of age shall be capable in law of contracting marriage. (b) (1) However, a male or female who is at least seventeen (17) years of age but under the age of eighteen (18) years may contract marriage as provided under this subsection. (2) As used in this subsection, "contracting party" means a male or female who is at least seventeen (17) years of age but under the age of eighteen (18) years. (3) Before a marriage license may be issued under this subsection, a contracting party shall furnish the clerk with a verified affidavit signed in the presence of a notary public that states that the parent or parents or guardian of the contracting party consents to the marriage. (4) The consent of both parents of a contracting party is necessary unless: (A) The parents have been divorced and custody of the contracting party has been awarded to one (1) of the parents exclusive of the other; (B) The custody of the contracting party has been surrendered by one (1) of the parents through abandonment or desertion, in which case the consent of the parent who has custody of the contracting party is sufficient; or (C) A guardian has been appointed for the contracting party, in which case the consent of the guardian of the contracting party is sufficient. (5) The consent of the parent or guardian may be voided by the order of a circuit court on a showing by clear and convincing evidence that: (A) The parent or guardian is not fit to make decisions concerning the contracting party; and (B) The marriage is not in the contracting party's best interest. (6) There shall be a waiting period of five (5) business days for a marriage license issued under this subsection.

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		(7) If a contracting party has a pending case in a circuit court, a parent or guardian who files consent under this subsection shall immediately notify the circuit court and all parties and attorneys to the pending case. <u>Ark. Code Ann. § 9-11-103</u> (a) (1) If an application for a marriage license is made where one (1) or both parties are under eighteen (18) years of age but older than sixteen (16) years of age and the female is pregnant, both parties may appear before a judge of the circuit court of the district where the application for a marriage license is being made. (2) Evidence shall be submitted as to: (A) The pregnancy of the female in the form of a certificate from a licensed and regularly practicing physician of the State of Arkansas; (B) The birth certificates of both parties; and (C) Parental consent of each party who may be under the minimum age. (3) Thereupon, after consideration of the evidence and other facts and circumstances, if the judge finds that it is to the best interest of the parties, the judge may enter an order authorizing and directing the county clerk to issue a marriage license to the parties. (4) The county clerk shall retain a copy of the order on file in the clerk's office with the other papers. (b) However, if the female has given birth to the child, the court before whom the parties are to appear, if satisfied that it would be to the best interests of all the interested parties and if all the requirements of subsection (a) of this section are complied with, with the exception of the physician's certificate as to the pregnancy, may enter an order authorizing and directing the county clerk to issue a marriage license as provided in subsection (a) of this section. <u>Ark. Code. Ann. § 9-11-209</u> ... (b) In case either or both of the parties to the marriage are not of lawful age, it shall be the duty of the clerk, before issuing the license, to require the party applying therefor to produce satisfactory evidence of the consent and willingness of the parent or guardian of the party to the marriage, which shall consist of either verbal or written consent thereto. (c) If there are any doubts in the mind of the clerk as to the evidence of the consent and willingness of the parent or guardian of the party applying for the license or if the clerk is in doubt as to the true age of the party so making application, the clerk may require the applicants to furnish a copy of their birth certificates as proof of lawful age or may require the parties to make affidavit to the genuineness of the consent granted or to the correctness of the ages given. The affidavit so made shall be filed in the clerk's office for public inspection.

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California	No age floor set by statute. If the statutory exceptions are met, a child of any age could be married.	Cal. Fam. Code § 301 Two unmarried persons 18 years of age or older, who are not otherwise disqualified, are capable of consenting to and consummating marriage. Cal. Fam. Code § 302 (a) An unmarried person under 18 years of age may be issued a marriage license upon obtaining a court order granting permission to the underage person or persons to marry, in accordance with the requirements described in Section 304. (b) The court order and written consent of at least one of the parents or the guardian of each underage person shall be filed with the clerk of the court, and a certified copy of the order shall be presented to the county clerk at the time the marriage license is issued. Cal. Fam. Code § 303 If it appears to the satisfaction of the court by application of a minor that the minor requires a written consent to marry and that the minor has no parent or has no parent capable of consenting, the court may make an order consenting to the issuance of a marriage license and granting permission to the minor to marry, in accordance with the requirements described in Section 304. The order shall be filed with the clerk of the court and a certified copy of the order shall be presented to the county clerk at the time the marriage license is issued. Cal. Fam. Code § 304 (a) In determining whether to issue a court order granting permission to marry pursuant to Section 302 or 303, the court shall do all of the following: (1) Require Family Court Services to separately interview the parties intending to marry and, if applicable, at least one of the parents or the guardian of each party who is a minor. If more than one parent or guardian is interviewed, the parents or guardians shall be interviewed separately. (2) Require Family Court Services to prepare and submit to the court a written report, containing any finding of potential force, threat, persuasion, fraud, coercion, or duress by either of the parties or their family members relating to the intended marriage. The report shall also contain recommendations of Family Court Services for either granting or denying the parties permission to marry. If Family Court Services knows or reasonably suspects that either party is a victim of child abuse or neglect, Family Court Services shall submit a report of the known or suspected child abuse or neglect to the county child protective services agency.

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		(3) After receiving the report of the findings and recommendations of Family Court Services, as described in paragraph (2), separately interview in camera each of the parties prior to making a final determination regarding the court order. (4) Consider whether there is evidence of coercion or undue influence on the minor. (b) If the court issues an order granting the parties permission to marry pursuant to Section 302 or 303, and if one or both of the parties are 17 years of age or younger, the parties shall be eligible to request a marriage license no earlier than 30 days from the time the court order was issued. (c) As part of the court order granting permission to marry under Section 302 or 303, the court shall, if it considers it necessary, require the parties to the prospective marriage of a minor to participate in premarital counseling concerning social, economic, and personal responsibilities incident to marriage. The parties shall not be required to confer with counselors provided by religious organizations of any denomination. In determining whether to order the parties to participate in the premarital counseling, the court shall consider, among other factors, the ability of the parties to pay for the counseling. The court may impose a reasonable fee to cover the cost of any premarital counseling provided by the county or the court. The fees shall be used exclusively to cover the cost of the counseling services authorized by this section. (d) (1) Only for purposes of completing the document described in Section 102233 of the Health and Safety Code, and not for purposes of making a determination regarding the court order, the gender of each party intending to marry, if provided, shall be documented on the court order granting permission to marry. (2) The date of birth of each party intending to marry shall also be documented on the court order granting permission to marry. (3) For purposes of the requirements on the person solemnizing the marriage under subdivision (b) of Section 423, and the requirements on the local registrar under subdivision (a) of Section 102356 of the Health and Safety Code, the court shall provide parties who are granted permission to marry with a copy of the court order granting permission to marry. (e) Upon issuance of the order granting permission to marry, the minor shall be provided with the following information: (1) The rights and responsibilities of an emancipated minor, including, but not limited to, the effects of emancipation as described in Sections 7050 to 7052, inclusive. (2) (A) The circumstances under which a marriage may be determined by a court to be void or voidable¹³ and adjudged a nullity and the procedure for obtaining that judicial determination. (B) The procedures for legal separation or dissolution of marriage.

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		(3) Telephone numbers for the National Domestic Violence Hotline and the National Sexual Assault Hotline. (4) The conditions under which an unemancipated minor may leave home and seek to remain in a shelter or otherwise live separately from his or her parent or guardian, and whether the consent or acquiescence of a parent or guardian is required to remain away from the home of the parent or guardian, the rights of an unemancipated minor to apply for a protective or restraining order to prevent abuse, and the rights of a minor to enter into contracts, including contracts for legal services and mental health counseling. (f) (1) Subdivisions (a) and (b) shall not apply to a minor who is 17 years of age and who has achieved a high school diploma or a high school equivalency certificate. (2) Subdivision (b) shall not apply to a minor who is 16 or 17 years of age and who is pregnant or whose prospective spouse is pregnant.
Colorado	16 ¹⁴	<u>Colo. Rev. Stat. § 14-2-106</u>¹⁵ (1) (a) When a marriage license application has been completed and signed by both parties to a prospective marriage and at least one party has appeared before the county clerk and recorder and has paid the marriage license fee . . . the county clerk shall issue a license to marry and a marriage certificate form upon being furnished: (I) Satisfactory proof that each party to the marriage will have attained the age of eighteen years at the time the marriage license becomes effective; or, if over the age of sixteen years but has not attained the age of eighteen years, has judicial approval, as provided in section 14-2-108 [see below]; and (II) Satisfactory proof that the marriage is not prohibited, as provided in section 14-2-110 [forbidding marriage to a person already married or to a relative of a certain degree]. (b) Violation of subsection (1)(a)(I) of this section makes the marriage voidable. <u>Colo. Rev. Stat. § 14-2-108</u> (1) The juvenile court, as defined in section 19-1-103 (17), after a reasonable effort has been made to notify the parents or legal guardians of each underage party, may order the county clerk and recorder pursuant to subsection (2) of this section to issue a marriage license and a marriage certificate form to a party sixteen or seventeen years of age. (2) (a) The court may order the county clerk and recorder to issue a marriage license under subsection (1) of this section only if the court finds, after reviewing the report of the guardian ad litem appointed pursuant to subsection (2)(b) of this section, that the underage party is capable of assuming the responsibilities of marriage and the

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		marriage would serve the underage party's best interests. Pregnancy alone does not establish that the best interests of the party would be served. (b) (I) Prior to ordering the issuance of a marriage license to an underage party, the court shall appoint a guardian ad litem for the underage party and direct the guardian ad litem to investigate the best interests of the underage party and to file a report with the court addressing the factors set forth in subsection (2)(b)(II) of this section and stating a position as to whether the issuance of a marriage license to the underage party is in the underage party's best interests. (II) The court shall consider all relevant factors, including: (A) The wishes of the underage party; (B) The view of the parents or legal guardians of the underage party, if known; (C) The ability of the underage party to assume the responsibilities of marriage; (D) The circumstances surrounding the marriage; and (E) The ability of the underage party to manage the underage party's financial, personal, social, educational, and nonfinancial affairs independent of the underage party's intended spouse both during the marriage or upon dissolution of the marriage.
Connecticut	18	Conn. Gen. Stat. § 46b-20a (a) A person is eligible to marry if such person is: (1) Not a party to another marriage, or a relationship that provides substantially the same rights, benefits and responsibilities as a marriage, entered into in this state or another state or jurisdiction, unless the parties to the marriage will be the same as the parties to such other relationship; (2) At least eighteen years of age; (3) Except as provided in section 46b-29, not under the supervision or control of a conservator; and (4) Not prohibited from entering into a marriage pursuant to section 46b-21.
Delaware	18	Del. Code tit. 13, § 123 (a) No individual under the age of 18 shall be granted a marriage license.
District of Columbia	18	D.C. Code § 46-403 The following marriages in said District shall be illegal, and shall be void from the time when their nullity shall be declared by decree, namely: . . . (4) When either of the parties is under the age of consent, which is hereby declared to be 18 years of age.

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		D.C. Code § 46-411 If any person intending to marry and seeking a license therefore shall be under 18 years of age, the Clerk shall not issue such license.
Florida	17	Fla. Stat. § 741.04 (1) A county court judge or clerk of the circuit court may not issue a license to marry to any person younger than 18 years of age, unless: (a) The person is at least 17 years of age and provides the written consent of his or her parents or legal guardian, which is acknowledged by an officer authorized by law to take acknowledgements and administer oaths; and (b) The older party to the marriage is not more than 2 years older than the younger party to the marriage. (2) A county court judge or clerk of the circuit court may not issue a license to marry until the parties to the marriage file with the county court judge or clerk of the court a written and signed affidavit, made and subscribed before a person authorized by law to administer an oath, which provides: (a) The social security number or any other available identification number for each person. (b) The respective ages of the parties. . . .¹⁶
Georgia	18 (unless a minor age 17 has been emancipated by court order)	<u><i>Provisions on Marriage-Age:</i></u> Ga. Code Ann. § 19-3-2 (a) To be able to contract marriage, a person must: . . . 2) Except as provided in subsection (b) of this Code section, be at least 18 years of age . . . (b) If either applicant for marriage is 17 years of age, documentary proof that such applicant was emancipated by operation of law or pursuant to a petition filed with the court as provided in Article 10 of Chapter 11 of Title 15 shall be required before a license may be issued pursuant to Article 2 of this chapter; provided, in addition, that: (1) If the emancipation was pursuant to a petition filed with the court, a certified copy of the order providing for the emancipation shall be provided as documentary proof; (2) At least 15 days shall have passed since such emancipation shall have occurred by operation of law or pursuant to a petition filed with the court;

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		(3) The older party to the marriage contract shall not be more than four years older than the younger party to the marriage contract; and (4) Each party to the marriage contract who is 17 years of age shall present a certificate of completion of premarital education as provided under Code Section 19-3-30.1. (c) No license provided for under Article 2 of this chapter shall be issued for the marriage of any party who is under 17 years of age. <u>Ga. Code Ann. § 19-3-30.1</u> (a) The premarital education provided for under this Code section shall include at least six hours of instruction involving marital issues, which may include but not be limited to conflict management, communication skills, financial responsibilities, child and parenting responsibilities, and extended family roles. The premarital education shall be completed within 12 months prior to the application for a marriage license and the couple shall undergo the premarital education together, except as provided for in subsection (d) of this Code section. The premarital education shall be performed by: (1) A professional counselor, social worker, or marriage and family therapist who is licensed pursuant to Chapter 10A of Title 43; (2) A psychiatrist who is licensed as a physician pursuant to Chapter 34 of Title 43; (3) A psychologist who is licensed pursuant to Chapter 39 of Title 43; (4) An active member of the clergy when in the course of his or her service as clergy or his or her designee, including retired clergy, provided that a designee is trained and skilled in premarital education; provided, further, that any active or retired member of the clergy or his or her designee performing the premarital education for a party who is 17 years of age shall also be a licensed professional counselor, social worker, or marriage and family therapist who is licensed pursuant to Chapter 10A of Title 43. (b) Each premarital education provider provided for in paragraphs (1) through (4) of subsection (a) of this Code section shall furnish each participant who completes the premarital education under his or her performance a certificate of completion. (c) If both persons applying for a marriage license are 18 years of age or older and certify on the application for a marriage license that they have successfully completed a qualifying premarital education program, then such persons shall not be charged a fee for a marriage license. (d) If either person applying for a marriage license is 17 years of age:

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		(1) No fee shall be charged for the issuance of a marriage license; (2) A certificate of completion of premarital education by any such person as provided in subsection (b) of this Code section shall be provided to the judge of the probate court. The requirement of this paragraph shall not be waived regardless of whether the persons applying for a marriage license are willing to be charged a fee for the marriage license; (3) Each person shall undergo the premarital education separately from the other person; and (4) In addition to the topics provided for under subsection (a) of this Code section, the premarital education shall include instruction on the potential risks of marrying young, including, but not limited to, high divorce rates, increased rates of noncompletion of education, greater likelihood of poverty, medical and mental health problems, and information contained within the fact sheet provided for under Code Section 19-3-41.1, including, but not limited to, information on domestic violence and website and telephone resources for victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking. <u>Ga. Code Ann. § 19-3-36</u> The judge of the probate court to whom the application for a marriage license is made shall satisfy himself or herself that the provisions set forth in Code Section 19-3-2 regarding age limitations are met. The judge shall require all applicants to furnish the court with documentary evidence of proof of age in the form of a birth certificate, driver's license, baptismal certificate, certificate of birth registration, selective service card, court record, passport, immigration papers, alien papers, citizenship papers, armed forces discharge papers, armed forces identification card, or hospital admission card containing the full name and date of birth. Applicants who have satisfactorily proved that they have reached the age of majority may be issued a marriage license immediately. <u>Ga. Code Ann. § 19-3-41.1</u> (a) The Department of Public Health shall prepare a fact sheet for public availability and for distribution by premarital education providers. ... (b) The fact sheet provided for in subsection (a) of this Code section shall: (1) Include basic information about the legal rights and responsibilities of parties to a marriage as well as information about dating violence, sexual assault, stalking, domestic violence, and human trafficking, including, but not limited to, the warning signs and behaviors of an abusive partner and the dynamics of domestic violence and other forms of coercive control. Such fact sheet shall also include basic information about the rights of victims of such violence and the resources available to them, including, but not limited to, website and telephone resources, legal assistance, confidential shelters, and civil protective orders; ...

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		<u>Ga. Code Ann. § 19-3-43</u> (a) ...Parties residing in this state may not evade any of the laws of this state as to marriage, including, but not limited to, the age limitations provided for in Code Section 19-3-2, by going into another state for the solemnization of the marriage ceremony. (b) Notwithstanding subsection (a) of this Code section, the age limitations provided for in Code section 19-3-2 shall not apply to a lawful marriage solemnized in another state or country prior to either party residing in this state. <u><i>Provisions on Emancipation, Including Based on Intent to Marry:</i></u> <u>Ga. Code Ann. § 15-11-720</u> (a) Emancipation may occur by operation of law or pursuant to a petition filed with the court as provided in this article by a child who is at least 16 years of age. (b) An emancipation occurs by operation of law: (1) When a child is validly married; (2) When a child reaches the age of 18 years; or (3) During the period when a child is on active duty with the armed forces of the United States. (c) An emancipation occurs by court order pursuant to a petition filed by a child with the juvenile court. <u>Ga. Code Ann. § 15-11-721</u> (a) A child seeking emancipation shall file a petition for emancipation in the juvenile court in the county where such child resides. The petition shall be signed and verified by the petitioner, and shall include: (1) The petitioner's full name and birth date and the county and state where the petitioner was born; (2) A certified copy of the petitioner's birth certificate; (3) The name and last known address of the petitioner's parent, guardian, or legal custodian and, if no parent, guardian, or legal custodian can be found, the name and address of the petitioner's nearest living relative residing within this state; (4) The petitioner's present address and length of residency at that address;

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		(5) A declaration by the petitioner demonstrating the ability to manage his or her financial affairs together with any information necessary to support the declaration; (6) A declaration by the petitioner demonstrating the ability to manage his or her personal and social affairs together with any information necessary to support the declaration; and (7) The names of individuals who have personal knowledge of the petitioner's circumstances and believe that under those circumstances emancipation is in the best interests of the petitioner. Such individuals may include any of the following: (A) A licensed physician, physician assistant, or osteopath; (B) A registered professional nurse or licensed practical nurse; (C) A licensed psychologist; (D) A licensed professional counselor, social worker, or marriage and family therapist; (E) A school guidance counselor, school social worker, or school psychologist; (F) A school administrator, school principal, or school teacher; (G) A member of the clergy; (H) A law enforcement officer; or (I) An attorney. (b) If the petition provided for under subsection (a) of this Code section is based on the petitioner's desire to enter into a valid marriage, the petitioner shall: (1) Be at least 17 years of age; (2) In addition to the requirements provided for under subsection (a) of this Code section, include in such petition the name, age, date of birth, and address of residence of the intended spouse; (3) Include a statement of the reasons why the petitioner desires to marry, how the parties came to know each other, and how long they have known each other; and (4) Attach copies of any criminal records of either party to be married and of any family violence or stalking protective order issued to protect or restrain either party to be married. <u>Ga. Code Ann. § 15-11-722</u> (a) Upon filing the petition, a copy of the petition for emancipation and a summons to appear at the hearing shall be served on all persons named in the petition and upon any individual who provided an affidavit for the emancipation. (b) A person served with a petition may file an answer in the juvenile court in which the petition was filed within 30 days of being served.

State	Age Floor Set by Statute?	State Code Provisions
		Ga. Code Ann. § 15-11-723 (a) After a petition for emancipation is filed, the court shall appoint an attorney for the petitioner and may: (1) Appoint a guardian ad litem to investigate the allegations of the petition and to file a report with the court, including a recommendation as to whether it is in the best interests of the petitioner that the petition for emancipation be granted; and (2) Appoint an attorney for the petitioner's parent, guardian, or legal custodian if he or she is an indigent person and if he or she opposes the petition. (b) After a petition for emancipation is filed, the court shall seek an affidavit from each person identified in the petition pursuant to paragraph (7) of subsection (a) of Code Section 15-11-721 that describes why that person believes the petitioner should be emancipated. Ga. Code Ann. § 15-11-724 A child who petitions the court for emancipation shall have the burden of showing that emancipation should be ordered by a preponderance of evidence. Ga. Code Ann. § 15-11-725 (a) (1) Except as provided for in paragraph (2) of this subsection, the court shall issue an emancipation order if, after a hearing, it determines that emancipation is in the best interests of the child and such child has established: (A) That his or her parent, guardian, or legal custodian does not object to the petition; or, if a parent, guardian, or legal custodian objects to the petition, that the best interests of the child are served by allowing the emancipation to occur by court order; (B) That he or she is a resident of this state; (C) That he or she has demonstrated the ability to manage his or her financial affairs, including proof of employment or other means of support. "Other means of support" shall not include general assistance or aid received from means-tested public assistance programs such as Temporary Assistance for Needy Families as provided in Article 9 of Chapter 4 of Title 49 or similar programs under Title IV-A of the federal Social Security Act; (D) That he or she has the ability to manage his or her personal and social affairs, including, but not limited to, proof of housing; and (E) That he or she understands his or her rights and responsibilities under this article as an emancipated child.

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		(2) If the court finds that the petition for emancipation is based upon the petitioner's desire to enter into a valid marriage, the court shall not issue an emancipation order if the court further finds that: (A) The petitioner is being compelled to marry against the petitioner's will by force, fraud, or coercion; (B) The petitioner is younger than 17 years of age, or the age difference between the parties is more than four years; (C) The intended spouse was or is in a position of authority or special trust as defined in Code Section 16-6-5.1 in relation to the petitioner; (D) The intended spouse has been convicted of or entered into a diversion program for a crime against a person under Chapter 5 of Title 16 that involves an act of violence or includes a child victim or is for a crime defined as a sexual offense under Chapter 6 of Title 16; (E) There is a preponderance of evidence that the petitioner was the victim and the intended spouse was the perpetrator of statutory rape as defined in Code Section 16-6-3; (F) The intended spouse has previously been enjoined by a family violence or stalking protective order, regardless of whether or not the person to be protected by the order was the petitioner; or (G) The intended marriage is not in the best interests of the petitioner. A past or current pregnancy of the petitioner or the intended spouse or the wishes of the parents or legal guardians of the petitioner may be considered by the court, but shall not alone or together be sufficient evidence to determine the best interests of the minor. (b) If the court issues an emancipation order, the court shall retain a copy of the order until the emancipated child becomes 25 years of age. (c) An emancipation obtained by fraud is voidable. Voiding an emancipation order shall not affect an obligation, responsibility, right, or interest that arose during the period of time the order was in effect. (d) A child or his or her parent, guardian, or legal custodian may appeal the court's grant or denial of an emancipation petition.
Hawaii	15	<u>Hawaii Rev. Stat. § 572-1</u> In order to make valid the marriage contract, which shall be permitted between two individuals without regard to gender, it shall be necessary that: . . . (2) Each of the parties at the time of contracting the marriage is at least sixteen years of age; provided that with the written approval of the family court of the circuit within which the minor resides, it shall be lawful for a person under the age of sixteen years, but in no event under the age of fifteen years, to marry, subject to section 572-2 [see below] . . .

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		<u>Hawaii Rev. Stat. § 572-2</u> Whenever any person who is under the age of eighteen is to be married, the written consent of his or her parents, or guardian or other person in whose care and custody he or she may be, shall accompany the application for a license to marry. No license shall be issued to any minor who is under the jurisdiction of the family court without the written consent of a judge of such court. <u>Hawaii Rev. Stat. § 572-9</u> Whenever any person who is under the age of eighteen, whose parents are dead, or who is a ward of a family court, applies for a license to marry, he or she shall set forth in the statement accompanying the application, the name of his or her guardian or of any other person in whose care and custody he or she may be. <u>Hawaii Rev. Stat. § 572-10</u> If any applicant for a license to marry appears to any agent to be under the age of eighteen years, the agent shall, before granting a license to marry, require the production of a certificate of birth or other satisfactory proof showing the age of the applicant.
Idaho	16	<u>Idaho Code Ann. § 32-202</u> Any unmarried male of the age of eighteen (18) years or older, and any unmarried female of the age of eighteen (18) years or older, and not otherwise disqualified, are capable of consenting to and consummating marriage. A minor under eighteen (18) and not less than sixteen (16) years of age may not contract marriage with a person of the age of majority where there is an age difference of three (3) years or greater between them. No marriage license for a minor under the age of eighteen (18) and not less than sixteen (16) years of age shall be issued where there is such an age difference between the parties. Provided that if the male party to the contract is under the age of eighteen (18) and not less than sixteen (16) years of age, or if the female party to the contract is under the age of eighteen (18) and not less than sixteen (16) years of age, the license shall not be issued except upon the consent in writing duly acknowledged and sworn to by the father, mother, or guardian of any such person if there be either, and provided further, that no such license may be issued, if the male be under eighteen (18) years and not less than sixteen (16) of age and the female under eighteen (18) and not less than sixteen (16) years of age, unless each party to the contract submits to the county recorder his or her original birth certificate, or certified copy thereof or other proof of age acceptable to the county recorder. Where the female is under the age of sixteen (16), or the male is under the age of sixteen (16), the license shall not be issued.
Illinois	16	<u>750 Ill. Comp. Stat. 5/203</u>

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		When a marriage application has been completed and signed by both parties to a prospective marriage and both parties have appeared before the county clerk and the marriage license fee has been paid, the county clerk shall issue a license to marry and a marriage certificate form upon being furnished: (1) Satisfactory proof that each party to the marriage will have attained the age of 18 years at the time the marriage license is effective or will have attained the age of 16 years and has either the consent to the marriage of both parents or his guardian or judicial approval; provided, if one parent cannot be located in order to obtain such consent and diligent efforts have been made to locate that parent by the consenting parent, then the consent of one parent plus a signed affidavit by the consenting parent which (i) names the absent parent and states that he or she cannot be located, and (ii) states what diligent efforts have been made to locate the absent parent, shall have the effect of both parents' consent for purposes of this Section . . . 750 Ill. Comp. Stat. 5/208 (a) The court, after a reasonable effort has been made to notify the parents or guardian of each under-aged party, may order the county clerk to issue a marriage license and a marriage certificate form to a party aged 16 or 17 years who has no parent capable of consenting to his marriage or whose parent or guardian has not consented to his marriage. (b) A marriage license and a marriage certificate form may be issued under this Section only if the court finds that the under-aged party is capable of assuming the responsibilities of marriage and the marriage will serve his best interest. Pregnancy alone does not establish that the best interest of the party will be served.
Indiana ¹⁷	18 (unless a minor age 16 has been emancipated by court order)	Ind. Code § 31-11-1-4 Except as provided in sections 5 and 7 of this chapter, two (2) individuals may not marry each other unless both individuals are at least 18 years of age. Ind. Code § 31-11-1-5 Two (2) individuals may marry each other if: (1) both individuals are at least sixteen (16) years of age; (2) one (1) of the individuals is not more than four (4) years older than the other individual if the other individual is sixteen (16) or seventeen (17) years of age; (3) each individual who is less than eighteen (18) years of age: (A) has been granted an order by a juvenile court under section 7 of this chapter granting the individual approval to marry and completely emancipating the individual; and (B) not earlier than fifteen (15) days after the issuance of the order described in clause (A), presents to the clerk of the circuit court an application for a marriage license accompanied by:

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		(i) a certified copy of the order; and (ii) a certificate of completion of any premarital counseling required under the order; and (4) The individuals are not prohibited from marrying each other for a reason set forth in this article. <u>Ind. Code § 31-11-1-7</u> (a) A minor who is sixteen (16) or seventeen (17) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information: (1) The minor's name, gender, and age. (2) Documentary proof of the minor's date of birth. (3) The minor's address, and how long the minor has resided at that address. (4) The following information with regard to the intended spouse: (A) The intended spouse's name, gender, and age. (B) Documentary proof of the intended spouse's date of birth. (C) The intended spouse's address, and how long the intended spouse has resided at that address. (5) A statement of: (A) the reasons the minor desires to marry; (B) how the minor and the intended spouse came to know each other; and (C) how long the minor and the intended spouse have known each other. (6) Copies of: (A) any criminal records of the minor and of the intended spouse; and (B) any protective order: (i) issued to protect or restrain either the minor or the intended spouse; and (ii) relating to domestic or family violence, a sexual offense, or stalking. (7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the minor's parents or legal guardians or the intended spouse, including proof that the minor: (A) has graduated from high school; (B) has obtained a high school equivalency diploma; (C) has a plan for continued education; (D) has completed a vocational training or certificate program; (E) has attained a professional licensure or certification; or (F) has maintained stable housing or employment for at least three (3) consecutive months prior to filing the petition.

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		(b) A court with which a petition under subsection (a) is filed shall: (1) set a date for an evidentiary hearing on the petition; (2) provide reasonable notice of the hearing to the minor and the minor's parents or legal guardians; and (3) appoint an attorney to serve as guardian ad litem for the minor. (c) At the evidentiary hearing, the court shall conduct an in camera interview with the minor separate from the minor's parents or legal guardians and intended spouse. (d) Following the evidentiary hearing, and subject to subsection (e), the court may grant the petition if the court finds all of the following: (1) The minor is a county resident who is at least sixteen (16) years of age. (2) The intended spouse is not more than four (4) years older than the minor. (3) The minor's decision to marry is voluntary, and free from force, fraud, or coercion. (4) The minor is mature enough to make a decision to marry. (5) The minor has established the minor's capacity to be self-sufficient and self-supporting independent of the minor's parents, legal guardians, and intended spouse. (6) The minor understands the rights and responsibilities of parties to marriage and of completely emancipated minors. (7) It is in the best interests of the minor for the court to grant the petition to marry and to completely emancipate the minor. In making the determination under this subdivision, the court shall consider how marriage and emancipation may affect the minor's health, safety, education, and welfare. A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7). (e) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section: (1) The fact that the minor or the intended spouse is pregnant or has had a child. (2) The wishes of the parents or legal guardians of the minor. However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation. (f) The juvenile court shall deny a petition under this section if the court finds any of the following: (1) The intended spouse:

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		(A) is or was in a position of authority or special trust in relation to the minor; or (B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7. (2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42: (A) that involves an act of violence; (B) of which a child was the victim; or (C) that is an offense under: (i) IC 35-42-3.5; or (ii) IC 35-42-4. (3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that: (A) the other party to the marriage is the father of the child or unborn child; and (B) the conception of the child or unborn child resulted from the commission of an offense under: (i) IC 35-42-4-3 (child molesting); (ii) IC 35-42-4-6 (child solicitation); (iii) IC 35-42-4-7 (child seduction); or (iv) IC 35-42-4-9 (sexual misconduct with a minor). (4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by the order was the minor. (g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor. (h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult, except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations. (i) A court hearing a petition under this section may issue any other order the court considers appropriate for the minor's protection. (j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

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		(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances. <u>Ind. Code § 31-11-4-6</u> Each individual who applies for a marriage license must submit to the clerk of the circuit court documentary proof of the individual's age, in the form of: (1) a: (A) certified copy of the individual's birth certificate; (B) copy of a birth record; or (C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country; (2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth; (3) a passport; (4) a valid operator's license or other identification that is issued by a state or another governmental entity and that contains the individual's date of birth and current address; (5) an immigration or naturalization record showing the individual's date of birth; (6) a United States selective service card or armed forces record showing the individual's date of birth; or (7) a: (A) court record; or (B) document or record issued by a governmental entity; showing the individual's date of birth. <u>Ind. Code § 31-11-8-6</u> A marriage is void if the parties to the marriage: (1) are residents of Indiana; (2) had their marriage solemnized in another state with the intent to: (A) evade IC 31-11-1-4 [minimum marriage age requirements], IC 31-11-4-4, or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and (B) subsequently return to Indiana and reside in Indiana; and (3) without having established residence in another state in good faith, return to Indiana and reside in Indiana after the marriage is solemnized. <u>Ind. Code § 31-9-2-7</u> [Family and Juvenile Law Definitions]

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		...(c) “Adult”, for purposes of IC 31-11, means: (1) a person at least eighteen (18) years of age; or (2) a: (A) married minor who is at least sixteen (16) years of age; or (B) minor who has been completely emancipated by a court; subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person’s age.
Iowa	16	Iowa Code § 595.2 ... 2. Additionally, a marriage between a male and a female is valid only if each is eighteen years of age or older. However, if either or both of the parties have not attained that age, the marriage may be valid under the circumstances prescribed in this section. 3. If either party to a marriage falsely represents the party’s self to be eighteen years of age or older at or before the time the marriage is solemnized, the marriage is valid unless the person who falsely represented their age chooses to void the marriage by making their true age known and verified by a birth certificate or other legal evidence of age in an annulment proceeding initiated at any time before the person reaches their eighteenth birthday. A child born of a marriage voided under this subsection is legitimate. 4. A marriage license may be issued to a male and a female either or both of whom are sixteen or seventeen years of age if both of the following apply: a. The parents of the underage party or parties certify in writing that they consent to the marriage. If one of the parents of any underage party to a proposed marriage is dead or incompetent the certificate may be executed by the other parent, if both parents are dead or incompetent the guardian of the underage party may execute the certificate, and if the parents are divorced the parent having legal custody may execute the certificate; and b. The certificate of consent of the parents, parent, or guardian is approved by a judge of the district court or, if both parents of any underage party to a proposed marriage are dead, incompetent, or cannot be located and the party has no guardian, the proposed marriage is approved by a judge of the district court. A judge shall grant approval under this subsection only if the judge finds the underage party or parties capable of assuming the responsibilities of marriage and that the marriage will serve the best interest of the underage party or parties. Pregnancy alone does not establish that the proposed marriage is in the best interest of the underage party or parties, however, if pregnancy is involved the court records which pertain to the fact that the female is

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		pregnant shall be sealed and available only to the parties to the marriage or proposed marriage or to any interested party securing an order of the court. 5. If a parent or guardian withholds consent, the judge upon application of a party to a proposed marriage shall determine if the consent has been unreasonably withheld. If the judge so finds, the judge shall proceed to review the application under subsection 4, paragraph “b.” Iowa Code § 595.3 Previous to the solemnization of any marriage, a license for that purpose must be obtained from the county registrar. The license must not be granted in any case: 1. Where either party is under the age necessary to render the marriage valid. 2. Where either party is under eighteen years of age, unless the marriage is approved by a judge of the district court as provided by section 595.2 [see above] . . .
Kansas ¹⁸	15	Kan. Stat. Ann. § 23-2505 . . . (c) No clerk or judge shall issue a license authorizing the marriage of any person: (1) Under the age of 16 years, except that a judge of the district court may, after due investigation, give consent and issue the license authorizing the marriage of a person 15 years of age when the marriage is in the best interest of the person 15 years of age; or (2) Who is 16 or 17 years of age without the express consent of such person’s father, mother or legal guardian and the consent of the judge unless consent of both the mother and father and any legal guardian or all then living parents and any legal guardian is given in which case the consent of the judge shall not be required. If not given in person at the time of the application, the consent shall be evidenced by a written certificate subscribed thereto and duly attested. Where the applicants or either of them are 16 or 17 years of age and their parents are dead and there is no legal guardian then a judge of the district court may after due investigation give consent and issue the license authorizing the marriage. (d) The judge or clerk may issue a license upon the affidavit of the party personally appearing and applying therefor, to the effect that the parties to whom such license is to be issued are of lawful age, as required by this section, and the judge or clerk is hereby authorized to administer oaths for that purpose. (e) Every person swearing falsely in such affidavit shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$500. A clerk or judge of the district court shall state in every license the birth dates of the parties

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		applying for the same, and if either or both are 16 or 17 years of age, the name of the father, mother, or guardian consenting to such marriage.
Kentucky	18 (unless a minor age 17 has been emancipated by court order)	Ky. Rev. Stat. §402.020 (1) Marriage is prohibited and void: ... (f) Except as provided in KRS 402.210, with a person who at the time of marriage is under eighteen (18) years of age. (2) Subsection 1(f) of this section shall not apply to a lawful marriage entered into in the Commonwealth of Kentucky prior to July 14, 2018, or to a lawful marriage in another state or country prior to the parties' residence in the Commonwealth of Kentucky. Ky. Rev. Stat. §402.210 (1) Both parties to a marriage shall: (a) Be present for a marriage license to be issued; and (b) Present to the county clerk documentary proof of age in the form of: 1. A copy of a birth record; 2. A certification of birth issued by the state department of health, a local registrar of vital statistics, or other public office charged with similar duties by the laws of another state, territory, or country; 3. A baptismal record showing the individual's date of birth; 4. A passport; 5. An automobile driver's license; 6. Any government or school issued identification card showing the individual's date of birth; 7. An immigration record showing the individual's date of birth; 8. A naturalization record showing the individual's date of birth; or 9. A court record or any other document or record issued by a government entity showing the individual's date of birth. (2) If either of the parties is under seventeen (17) years of age, no license shall be issued. (3) If either of the parties is seventeen (17) years of age, a marriage license shall not be issued unless:

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		(a) The party who is seventeen (17) years of age presents to the clerk a certified copy of a court order by a family court or District Court judge that grants the party permission to marry and removes the party's disability of minority, as provided in KRS 402.205; and (b) At least fifteen (15) days have elapsed since the court order was granted. <u>Ky. Rev. Stat. §402.205</u> (1) A minor who is seventeen (17) years of age may petition the family court in the county in which the minor resides, or the District Court in that county if a family court division has not been established in that county, for an order granting permission to marry. The petition shall contain the following: (a) The petitioner's name, gender, age, date of birth, address, and how long the petitioner has resided at that address, as well as prior addresses and dates of residence for the six (6) months preceding the petition; (b) The intended spouse's name, gender, age, date of birth, address, and how long the intended spouse has resided at that address, as well as prior addresses and dates of residence for the six (6) months preceding the petition; (c) An affidavit attesting to the consent to marry signed by: 1. The father or the mother of the petitioner, if the parties are married, the parents are not legally separated, no legal guardian has been appointed for petitioner, and no court order has been issued granting custody of petitioner to a party other than the father or mother; 2. Both the father and the mother, if both are living, and the parents are divorced or legally separated, and a court order of joint custody to the parents of the petitioner has been issued and is in effect; 3. The surviving parent, if the parents were divorced or legally separated, and a court order of joint custody to the parents of the petitioner was issued prior to the death of either the father or mother, which order remains in effect; 4. The custodial parent, as established by a court order which has not been superseded, where the parents are divorced or legally separated and joint custody of the petitioner has not been ordered; or 5. Another person having lawful custodial charge of the petitioner; (d) A statement of the reasons why the petitioner desires to marry, how the parties came to know each other, and how long they have known each other; (e) Evidence of the petitioner's maturity and capacity for self-sufficiency independent of the petitioner's parents and the intended spouse, including but not limited to:

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		1. Proof that the petitioner has maintained stable housing or employment for at least three (3) consecutive months prior to the petition; and 2. Proof that the petitioner has completed high school, obtained a High School Equivalency Diploma, or completed a vocational training or certificate program; (e) Copies of any criminal records of either party to be married; and (f) Copies of any domestic violence order or interpersonal protective order involving either party to be married. (2) Upon the filing of the petition for permission to marry, the court shall set a date for an evidentiary hearing on the petition that is no sooner than thirty (30) days but not later than sixty (60) days from the date of the filing. (3) The petitioner may be represented by counsel in court proceeding pertaining to the petition to marry. (4) The court shall take reasonable measures to ensure that any representations made by a minor party are free of coercion, undue influence, or duress. Reasonable measures shall include, but are not limited to, in camera interviews. (5) Following an evidentiary hearing, the court shall grant the minor's petition for permission to marry unless: (a) The age difference between the parties is more than four (4) years; (b) The intended spouse was or is a person in a position of authority or a position of special trust as defined in KRS 532.045 in relation to the minor; (c) The intended spouse has previously been enjoined by a domestic violence order or interpersonal protective order, regardless of whether or not the person to be protected by the order was the minor petitioner; (d) The intended spouse has been convicted of or entered into a diversion program for a criminal offense against a victim who is a minor as defined in KRS 17.500 or for a violent or sexual criminal offense under KRS Chapter 506, 507, 507A, 508, 509, 510, 529, 530, or 531; (e) The court finds by a preponderance of the evidence that the minor was a victim and that the intended spouse was the perpetrator of a sexual offense against the minor under KRS 510.040, 510.050, 510.060, 510.110, 510.120, or 510.030; (f) The court finds by a preponderance of the evidence that abuse, coercion, undue influence, or duress is present; or (g) The court finds that it would otherwise not be in the minor party's best interest to grant the petition to marry.

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		(6) A past or current pregnancy of the minor or the intended spouse shall not be sufficient evidence to establish that the best interests of the minor would be served by granting the petition for marriage. (7) The granting of a petition to marry filed under subsection (1) of this section shall remove the disabilities of minority. A minor emancipated by the petition shall be considered to have all the rights and responsibilities of an adult, except for specific constitutional or statutory age requirements, including but not limited to voting, the use of alcoholic beverages, and other health and safety regulations relevant to him or her because of his or her age.¹⁹ (8) The minor shall be advised by the court of the rights and responsibilities of parties to a marriage and of emancipated minors. The minor shall be provided with a fact sheet on these rights and responsibilities to be developed by the Office of the Attorney General and the Cabinet for Health and Family Services. The fact sheet shall include referral information for legal aid agencies in the Commonwealth and national hotlines for domestic violence and sexual assault. (9) The court may make any other orders that the court deems appropriate for the minor's protection and may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances for the minor's protection. (10) The court may set a fee not to exceed twenty dollars (\$20) to file a petition for permission to marry under this section.
Louisiana ²⁰	16	La. Civil Code Art. 90.1 A minor under the age of sixteen may not contract marriage. A minor sixteen or seventeen years of age may not contract marriage with a person of the age of majority where there is an age difference of three years or greater between them. La. Civil Code Art. 2333 A minor under the age of sixteen may not enter into a matrimonial agreement. A minor sixteen or seventeen years of age may not enter into a matrimonial agreement without judicial authorization and the written concurrence of his father and mother, or of the parent having his legal custody, or of the tutor of his person. La. Child. Code § 1545 A. An officiant may not perform a marriage ceremony in which a minor sixteen or seventeen is a party unless the minor has judicial authorization and the written consent to marry of either:

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		(1) Both of his parents. (2) The tutor of his person. (3) A person who has been awarded custody of the minor. B. No marriage ceremony shall be performed for a minor under the age of sixteen. <u>La. Child. Code § 1546</u> A proceeding brought pursuant to this Chapter may be commenced in the parish in which the minor resides or the marriage ceremony is to be performed. <u>La. Child. Code § 1547</u>²¹ Upon application by a minor of the age of sixteen or seventeen, the judge may authorize the marriage when there is a compelling reason why the marriage should take place. The court shall consider the best interest of the minor prospective spouse. <u>La. Child. Code § 1548</u> A. The court shall hear a request for authorization for a minor to marry in chambers. B. The judge shall require that both the prospective husband and prospective wife be present for the hearing and there shall be a separate in camera interview of the prospective spouses. C. In determining the best interest of the minor prospective spouse, the court shall consider all of the following: (1) Pregnancy of the prospective wife. (2) If the prospective spouses are already living together. (3) Housing and living conditions prior to the prospective marriage and where the prospective spouses intend to live after the marriage. (4) The ages of the prospective spouses. (5) The age differential between the prospective spouses. (6) How the prospective spouses came to know each other. (7) The stated reasons why each of the prospective spouses desires to marry one another. (8) Consent of mother, father, or person having legal custody of the minor.

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		D. The judge may require evidence of proof of residency, educational attainment, juvenile offense history, or criminal history to be produced. E. The judge shall conduct an inquiry to determine if there exists any evidence that the minor is a victim of human trafficking, sexual assault, domestic violence, coercion, duress, or undue influence. In conducting the inquiry, the judge shall ask all of the following questions: (1) Whether one prospective spouse is in a position of authority over the other prospective spouse. (2) Previous marriage or marriages of either of the prospective spouses. (3) Residency and length of residency of the prospective spouses. (4) How long the prospective spouses have known each other. (5) Length of relationship between the prospective spouses. (6) Any evidence of kidnaping, sexual assault, or domestic violence between the prospective spouses. (7) Whether one of the prospective spouses was the victim of a sexual offense committed by the other prospective spouse. (8) Evidence of domestic violence, spousal abuse, or sexual offenses committed by either of the prospective spouses upon anyone. (9) Criminal history of the prospective spouses. (10) Whether either prospective husband or wife provided or promised a third party anything of value in exchange for the marriage. (11) Evidence of maturity and self-sufficiency of the prospective spouses through educational attainment or employment. (12) Evidence of at least eight hours of premarital counseling from the prospective spouses. (13) Any history of any medical condition or chemical dependency of either of the prospective spouses. F. If the judge finds any evidence of human trafficking, sexual assault, domestic violence, coercion, or undue influence, he shall immediately report it to local law enforcement or child protective services, and shall not authorize the marriage. <u>La. Child. Code § 1549</u> A. The authorization must be in writing but may not give the court's reasons for granting it. B. A copy of the authorization must be attached to the copy of the marriage certificate given to the parties and the original of the authorization must be presented to the official who issues the marriage license.

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		C. A copy of the authorization must also be filed with the marriage certificate as required by law. La. Rev. Stat. Ann. 9:221 ...B. No marriage license for a minor under the age of sixteen shall be issued. No marriage license for a minor of the age of sixteen or seventeen shall be issued where there is an age difference of three years or greater between the persons seeking the marriage license. La. Rev. Stat. Ann. 9:225 A. An application for a marriage license shall be accompanied by: (1) (a) A certified copy of each party's birth certificate as provided by R.S. 9:226. (b) If the applicant does not have a birth certificate, the applicant shall obtain an order signed by a judge waiving the requirement pursuant to R.S. 9:228. (2) The written consent for a minor to marry, or the court's authorization for the minor to marry, or both, as required by Chapter 6 of Title XV of the Children's Code [see provisions above]. (3) If applicable, the declaration of intent for a covenant marriage, as provided in Part VII of this Chapter. (4) A valid and unexpired driver's license, a government issued identification card, or a valid and unexpired passport from the country of his birth or an unexpired visa accompanied by Form I-94 as issued by the United States. B. (1) It shall be unlawful for any officer authorized to issue a marriage license in this state to issue a license to any male or female unless both parties first present and file with the officer a certified copy of their original birth certificate. (2) A photostatic or photographic reproduction of the certified copy of the birth certificate shall be filed with the officer.
Maine	18	Me. Rev. Stat. tit. 19-A, § 652²² . . . 8. The clerk may not issue a marriage license to a person under 19 years of age.
Maryland	17	Md. Fam. Law Code Ann. § 2-301 (a) An individual 17 years old may not marry unless: (1) (i) The individual has the consent of each living parent, guardian, or legal custodian of the individual; or (ii) if the individual does not have the consent required under item (i) of this item, either party to be married gives the clerk a certificate from a licensed physician, licensed physician assistant, or certified nurse

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		practitioner stating that the physician, physician assistant, or nurse practitioner has examined the woman to be married and has found that she is pregnant or has given birth to a child; and (2) the individual presents a certified copy of an order granting authorization to marry in accordance with the provisions of Title 5, Subtitle 2A of this article to the clerk of the circuit court not earlier than 15 days after the order was issued. (b) An individual under the age of 17 may not marry. <u>Md. Fam. Law Code Ann. § 5-2A-01</u> (a) A minor who is 17 years old may file a petition in the minor’s own name for authorization to marry in the circuit court for the county in which the minor resides. (b) A petition for authorization to marry shall contain the following: (1) the petitioner’s full name, gender, date of birth, and address, including the length of time the petitioner has resided at the address; (2) the intended spouse’s full name, gender, date of birth, and address, including the length of time the intended spouse has resided at the address; (3) a statement explaining how the parties met and how long they have known each other; (4) a copy of any criminal records concerning either party and a copy of any peace order or protective order issued against either party; (5) evidence that the minor is mature and capable of self-sufficiency and self-support independent of the minor’s parents, guardian, legal custodian, or intended spouse; and (6) the name and last known address of each living parent, guardian, or legal custodian of the petitioner. <u>Md. Fam. Law Code Ann. § 5-2A-02</u> On the filing of a petition for authorization to marry, a court shall: (1) appoint a lawyer with family law experience to represent the petitioner; (2) set an evidentiary hearing on the petition; (3) provide the minor with the following: (i) information on the rights and responsibilities of: 1. a minor granted authorization to marry under this subtitle, including the right to divorce; and 2. parties to a marriage; (ii) referral information for legal aid agencies; (iii) information on State and national hotlines for child abuse, domestic violence, sexual assault, and human trafficking; and

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		(iv) information related to impacts and outcomes of child marriage in the United States; and (4) notify each living parent, guardian, or legal custodian whom the court is able to locate of their right to support or oppose the petition. <u>Md. Fam. Law Code Ann. § 5-2A-03</u> (a) At the hearing, the court shall conduct an in camera interview of the petitioner separate from the petitioner’s parents, guardians, or legal custodians and intended spouse. (b) (1) Neither the wishes of the parents, guardians, or legal custodians of the petitioner nor the fact that the petitioner or the intended spouse of the petitioner is pregnant is sufficient evidence to determine that marriage is in the best interest of the petitioner. (2) There is a rebuttable presumption that marriage is not in the best interests of the petitioner if all the parents, guardians, or legal custodians of the petitioner oppose the petition. (c) Subject to subsection (e) of this section, after a hearing, a court may issue an order granting authorization to marry if the court makes written findings that: (1) the petitioner is at least 17 years old; (2) the petitioner seeks to marry voluntarily and free from force, coercion, and fraud; and (3) the petitioner is mature and capable of self-sufficiency and self-support. (d) A court may deny a petition for the authorization to marry if the court makes a written finding that marriage is not in the best interest of the petitioner. (e) A court may not issue an order granting authorization to marry under this section if the court determines that: (1) the intended spouse of the petitioner: (i) at any time has been in a position of authority over the petitioner or in a position of special trust with the petitioner or has had a professional relationship with the petitioner; or (ii) has been convicted or adjudicated delinquent for: 1. any crime against a minor; 2. a crime of violence under § 14–101 of the Criminal Law Article; 3. a sexual crime under Title 3, Subtitle 3 of the Criminal Law Article; or 4. human trafficking under Title 3, Subtitle 11 of the Criminal Law Article; (2) one party is pregnant or has a child with the other party that evidences that the petitioner was the victim of a sexual crime committed by the intended spouse; or (3) a protective order or peace order was issued against the intended spouse of the petitioner,

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		regardless of whether the petitioner was the person to be protected.
Massachusetts	18	Mass. Gen. Laws ch. 207, § 7 A magistrate or minister shall not solemnize a marriage if a party to the intended marriage is under the age of 18. Mass. Gen. Laws ch. 207, § 24 The clerk or registrar shall not, receive a notice of the intention of marriage of a person under the age of 18. Mass. Gen. Laws ch. 207, § 33A The clerk or registrar shall not issue a certificate under section 28 before receiving proof of age of the parties and verifying that both parties are not less than 18 years of age. Such proof shall be contained in any of the following documents, graded and taking precedence in the following order: (i) an original or certified copy of a record of birth; (ii) an original or certified copy of a baptismal record; (iii) a passport; (iv) a life insurance policy; (v) an employment certificate; (vi) a school record; (vii) an immigration record; (viii) a naturalization record; or (ix) a court record. The clerk shall not accept documentary evidence of a lower grade unless the clerk or registrar is satisfied that evidence of a higher grade is not readily procurable.
Michigan	18	Mich. Comp. Laws § 551.51 (1) A marriage in this state shall not be contracted by an individual who is under 18 years of age. A marriage, if entered into in this state by an individual under 18 years of age, is void. (2) This section applies to a marriage entered into on or after the effective date of the amendatory act that added this subsection. Mich. Comp. Laws § 551.103 (1) A person who is 18 years of age or older may contract marriage. As proof of age, the individual who intends to be married, in addition to the statement of age in the application, when requested by the county clerk, must submit a birth certificate or other proof of age. The county clerk on the application submitted shall fill out the blank spaces of the license according to the sworn answers of the applicant, taken before the county clerk, or some person duly authorized by law to administer oaths. The county clerk shall not issue a license until the requirements of this section are complied with. If the parties are legally entitled to be married, the county clerk must sign the license and certify the fact that it is properly issued, and the clerk must make a correct copy of the license in the books of registration.

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Minnesota	18	Minn. Stat. Ann. § 517.02 A person who has attained the full age of 18 years is capable in law of contracting into a civil marriage, if otherwise competent. Minn. Stat. Ann. §517.03 Subd.1(a) The following civil marriages are prohibited: ... (4) a civil marriage entered into between persons when both have not attained the full age of 18 years. Subd.1(b) A civil marriage prohibited under paragraph (a), clause (4), that is recognized by another state or foreign jurisdiction under common law or statute, is void and against the public policy of this state unless neither party was a resident of this state at the time they were married. Minn. Stat. Ann. § 517.08 Subd. 1b.Term of license; fee; premarital education. (a) The local registrar shall examine upon oath the parties applying for a license relative to the legality of the contemplated civil marriage. Both parties must present proof of age to the local registrar. If one party is unable to appear in person, the party appearing may complete the absent applicant’s information. The local registrar shall provide a copy of the civil marriage application to the party who is unable to appear, who must verify the accuracy of the appearing party’s information in a notarized statement. The verification statement must be accompanied by a copy of proof of age of the party. The civil marriage license must not be released until the verification statement and proof of age has been received by the local registrar. Subd. 1d. Proof of age. For purposes of this section, proof of the age of a party may be established in the form of: (1) an original or certified copy of a birth certificate or birth record; (2) a driver’s license or other identification card issued by a government entity or school; or (3) a school record, immigration record, naturalization record, court record, or other document or record issued by a government entity that contains the date of birth of a party.
Mississippi	No age floor set by statute.	Miss. Code Ann. § 93-1-5

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	If the statutory exceptions are met, a child of any age could be married.	(1) Every male who is at least seventeen (17) years old and every female who is at least fifteen (15) years old shall be capable in law of contracting marriage. However, males and females under the age twenty-one (21) years must furnish the circuit clerk satisfactory evidence of consent to the marriage by the parents or guardians of the parties. It shall be unlawful for the circuit court clerk to issue a marriage license until the following conditions precedent have been complied with: (a) Application for the license is to be made in writing to the clerk of the circuit court of any county in the State of Mississippi. The application shall be sworn to by both applicants and shall include: (i) The names, ages and addresses of the parties applying; (ii) The names and addresses of the parents of the applicants, and, for applicants under the age of twenty-one (21), if no parents, then names and addresses of the guardian or next of kin; (iii) The signatures of witnesses; and (iv) Any other data that may be required by law or the State Board of Health. (b) Proof of age shall be presented to the circuit court clerk in the form of either a birth certificate, baptismal record, armed service discharge, armed service identification card, life insurance policy, insurance certificate, school record, driver's license, or other official document evidencing age. The document substantiating age and date of birth shall be examined by the circuit court clerk before whom application is made, and the circuit court clerk shall retain in his file with the application the document or a certified or photostatic copy of the document. (c) Applicants under the age of twenty-one (21) must submit affidavits showing the age of both applying parties made by either the father, mother, guardian or next of kin of each of the contracting parties and filed with the clerk of the circuit court along with the application. (d) If the male applicant is under seventeen (17) years of age or the female is under fifteen (15) years of age, and satisfactory proof is furnished to the judge of any circuit, chancery or county court that sufficient reasons exist and that the parties desire to be married to each other and that the parents or other person in loco parentis of the person or persons so under age consent to the marriage, then the judge of any such court in the county where either of the parties resides may waive the minimum age requirement and by written instrument authorize the clerk of the court to issue the marriage license to the parties if they are otherwise qualified by law. Authorization shall be a part of the confidential files of the clerk of the court, subject to inspection only by written permission of the judge...
Missouri	18	<u>Mo. Rev. Stat. § 451.090</u>²³ 1. No recorder shall issue a license authorizing the marriage of any male or female under eighteen years of age.

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		2. The recorder shall state in every license whether the parties applying for same are of age. Applicants shall provide proof of age to the recorder in the form of a certified copy of the applicant's birth certificate, passport, or other government-issued identification, which shall then be documented by the recorder.
Montana	16	Mont. Code Ann. § 40-1-202 Except as provided in 40-1-301 [solemnization and registration requirements], when a marriage application has been completed and signed by both parties to a prospective marriage and at least one party has appeared before the clerk of the district court and paid the marriage license fee of \$53, the clerk of the district court shall issue a license to marry and a marriage certificate form upon being furnished: (1) Satisfactory proof that each party to the marriage will have attained 18 years of age at the time the marriage license is effective or will have attained 16 years of age and has obtained judicial approval as provided in 40-1-213; . . . Mont. Code Ann. § 40-1-203 (1) Before a person authorized by law to issue marriage licenses may issue a marriage license, each applicant for a license shall provide a birth certificate or other satisfactory evidence of age and, if the applicant is a minor, the approval required by 40-1-213. . . . Mont. Code Ann. § 40-1-213 (1) The district court may order the clerk of the district court to issue a marriage license and a marriage certificate form to a party 16 or 17 years of age who has no parent capable of consenting to the party's marriage or has the consent of both parents or of the parent having the actual care, parenting authority, and control to the party's marriage, if capable of giving consent, or of the party's guardian. The court must require both parties to participate in a period of marriage counseling involving at least two separate counseling sessions not less than 10 days apart with a designated counselor as a condition of the order for issuance of a marriage license and a marriage certificate form under this section. (2) A marriage license and a marriage certificate form may be issued under this section only if the court finds that the under-aged party is capable of assuming the responsibilities of marriage and the marriage will serve the party's best interests. Pregnancy alone does not establish that the best interests of the party will be served. ...
Nebraska	17	Neb. Rev. Stat. § 42-102 At the time of the marriage the male must be of the age of seventeen years or upward, and the female of the age of seventeen years or upward. ...

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		Neb. Rev. Stat. § 42-104 Prior to the solemnization of any marriage in this state, a license for that purpose shall be obtained from a county clerk in the State of Nebraska. ... Each party shall present satisfactory documentary proof of and shall swear or affirm to the application giving: (1) Full name of each applicant and residence; and (2) the place, date, and year of birth of each. Neb. Rev. Stat. § 42-105 When either party is a minor, no license shall be granted without the written consent under oath of: (1) Either one of the parents of such minor, if the parents are living together; (2) the parent having the legal custody of such minor, if the parents are living separate and apart from each other; (3) the surviving parent, if one of the parents of such minor is deceased; or (4) the guardian, conservator, or person under whose care and government such minor may be, if both parents of such minor are deceased or if such guardian, conservator, or person has the legal and actual custody of such minor. The county clerk shall be justified in issuing the license, without further proof, upon receiving an affidavit setting forth the facts with reference to the conditions above specified and giving consent to the marriage, signed by the person authorized to give written consent under such circumstances. Neb. Rev. Stat. § 42-107 If the required proof is not given, if it shall appear that either of the parties is legally incompetent to enter into such contract or that there is any impediment in the way, or if either party is a minor and the consent mentioned in section 42-105 shall not be given, the county clerk shall refuse to grant a license. Neb. Rev. Stat. § 43-2101 All persons under nineteen years of age are declared to be minors, but in case any person marries under the age of nineteen years, his or her minority ends. . . .
Nevada²⁴	17	Nev. Rev. Stat. § 122.020 1. Except as otherwise provided in subsection 2 and NRS 122.025, two persons, regardless of gender, who are at least 18 years of age, not nearer of kin than second cousins or cousins of the half blood, and not having a spouse living, may be joined in marriage. Nev. Rev. Stat. § 122.025 1. A minor who is 17 years of age may marry only if the minor has the consent of: (a) Either parent; or

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		(b) The minor’s legal guardian, and the minor also obtains authorization from a district court as provided in this section. 2. In extraordinary circumstances, a district court may authorize the marriage of a minor who is 17 years of age if the court finds, by clear and convincing evidence, after an evidentiary hearing in which both parties to the prospective marriage provide sworn testimony, that: (a) Both parties to the prospective marriage are residents of this State; (b) The marriage will serve the best interests of the minor; and (c) The minor has the consent required by paragraph (a) or (b) of subsection 1. Pregnancy alone does not establish that the best interests of the minor will be served by marriage, nor may pregnancy be required by a court as a condition necessary for its authorization for the marriage of the minor. 3. In determining the best interests of the minor for the purposes of subsection 2, the court shall consider, without limitation: (a) The difference in age between the parties to the prospective marriage; (b) The need for the marriage to occur before the minor reaches 18 years of age; and (c) The emotional and intellectual maturity of the minor. Nev. Rev. Stat. § 122.040²⁵ ...5. When the authorization of a district court is required because the marriage involves a minor, the county clerk shall issue the license if that authorization is given to the county clerk in writing. ...
New Hampshire	18	N.H. Rev. Stat. § 457:4 No person below the age of 18 years shall be capable of contracting a valid marriage, and all marriage contracted by such persons shall be null and void. N.H. Rev. Stat. § 457:5 The age of consent shall be in the male and in the female, 18 years. N.H. Rev. Stat. § 457.8 No town clerk shall issue any certificate for the marriage of any person below the age of 18, and no magistrate or minister of religion shall solemnize the marriage of any such person, if such clerk, magistrate or minister knows or has reasonable cause to believe that such person is below such age. No magistrate or minister of religion shall

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		solemnize any marriage by proxy. N.H. Rev. Stat. § 457:23 I. No marriage license shall be issued by any town or city clerk until the applicants have each provided for inspection the following documents: (a) Proof of age; ...
New Jersey	18	N.J. Stat. § 37:1-6 A marriage or civil union license shall not be issued to a minor under the age of 18 years.
New Mexico	No age floor set by statute. If the statutory exceptions are met, a child of any age could be married.	N.M. Code § 40-1-6 A. The county clerk shall not issue a marriage license to an unemancipated person sixteen or seventeen years of age, and no person authorized by the laws of this state to solemnize marriages shall knowingly unite in marriage any person sixteen or seventeen years of age, unless the minor first receives the written consent of each of the minor's living parents as shown on the minor's certificate of birth, or the district court has authorized the marriage of such person upon request of a parent or legal guardian of the person for good cause shown, and a certified copy of the judicial authorization is filed with the county clerk. B. The county clerk shall not issue a marriage license to any person under sixteen years of age, and no person authorized by the laws of this state to solemnize marriages shall knowingly unite in marriage any person under sixteen years of age, unless the children's or family court division of the district court has first authorized the marriage of the person upon request of a parent or legal guardian of the person in settlement of proceedings to compel support and establish parentage, or where an applicant for the marriage license is pregnant, and a certified copy of the judicial authorization is filed with the county clerk.
New York	18	N.Y. Dom. Rel. Code Article 3, § 15-a Any marriage in which either party is under the age of eighteen years is hereby prohibited. Any town or city clerk who shall knowingly issue a marriage license to any persons, one or both of whom shall be at the time of their contemplated marriage actually under the age of eighteen years, shall be guilty of a misdemeanor and on conviction thereof shall be fined in the sum of one hundred dollars.
North Carolina	16	N.C. Gen. Stat. § 51-2

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		(a) All unmarried persons of 18 years, or older, may lawfully marry. (a1) Persons over 16 years of age and under 18 years of age may marry a person no more than four years older, and the register of deeds may issue a license for the marriage, only after there has been filed with the register of deeds a certified copy of an order issued by a district court authorizing marriage as provided in G.S. 21-2.1, or a written consent to the marriage, said consent having been signed by the appropriate person as follows: (1) By a parent having full or joint legal custody of the underage party; or (2) By a person, agency, or institution having legal custody or serving as a guardian of the underage party. Such written consent shall not be required for an emancipated minor if a certificate of emancipation issued pursuant to Article 35 of Chapter 7B of the General Statutes or a certified copy of a final decree or certificate of emancipation from this or any other jurisdiction is filed with the register of deeds. (b) It shall be unlawful for any person under 16 years of age to marry. . . . <u>N.C. Gen. Stat. § 51-2.1</u> (a) A district court judge may issue an order authorizing a marriage between a person over 16 years of age and under 18 years of age, to a person no more than four years older under this section only upon finding as fact and concluding as a matter of law that the underage party is capable of assuming the responsibilities of marriage and the marriage will serve the best interest of the underage party. In determining whether the marriage will serve the best interest of an underage party, the district court shall consider the following: (1) The opinion of the parents of the underage party as to whether the marriage serves the best interest of the underage party. (2) The opinion of any person, agency, or institution having legal custody or serving as a guardian of the underage party as to whether the marriage serves the best interest of the underage party. (3) The opinion of the guardian ad litem appointed to represent the best interest of the underage party pursuant to G.S. 51-2.1(b) as to whether the marriage serves the best interest of the underage party. (4) The relationship between the underage party and the parents of the underage party, as well as the relationship between the underage party and any person having legal custody or serving as a guardian of the underage party. (5) Any evidence that it would find useful in making its determination. There shall be a rebuttable presumption that the marriage will not serve the best interest of the underage party when all living parents of the underage party oppose the marriage. The fact that the female is pregnant, or has given birth to a child, alone does not establish that the best interest of the underage party will be served by the marriage.

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		(b) An underage party seeking an order granting judicial authorization to marry pursuant to this section shall file a civil action in the district court requesting judicial authorization to marry. The clerk shall collect court costs from the underage party in the amount set forth in G.S. 7A-305 for civil actions in district court. Upon the filing of the complaint, summons shall be issued in accordance with G.S. 1A-1, Rule 4, and the underage party shall be appointed a guardian ad litem in accordance with the provisions of G.S. 1A-1, Rule 17. The guardian ad litem appointed shall be an attorney and shall be governed by the provisions of subsection (d) of this section. The underage party shall serve a copy of the summons and complaint, in accordance with G.S. 1A-1, Rule 4, on the father of the underage party; the mother of the underage party; and any person, agency, or institution having legal custody or serving as a guardian of the underage party. The underage party also shall serve a copy of the complaint, either in accordance with G.S. 1A-1, Rule 4, or G.S. 1A-1, Rule 5, on the guardian ad litem appointed pursuant to this section. A party responding to the underage party's complaint shall serve his response within 30 days after service of the summons and complaint upon that person. The underage party may participate in the proceedings before the court on his or her own behalf. At the hearing conducted pursuant to this section, the court shall consider evidence, as provided in subsection (a) of this section, and shall make written findings of fact and conclusions of law. (c) Any party to a proceeding under this section may be represented by counsel, but no party is entitled to appointed counsel, except as provided in this section. (d) The guardian ad litem appointed pursuant to subsection (b) of this section shall represent the best interest of the underage party in all proceedings under this section and also has standing to institute an action under G.S. 51-2(c) [see above]. The appointment shall terminate when the last judicial ruling rendering the authorization granted or denied is entered. Payment of the guardian ad litem shall be governed by G.S. 7A-451(f). The guardian ad litem shall make an investigation to determine the facts, the needs of the underage party, the available resources within the family and community to meet those needs, the impact of the marriage on the underage party, and the ability of the underage party to assume the responsibilities of marriage; facilitate, when appropriate, the settlement of disputed issues; offer evidence and examine witnesses at the hearing; and protect and promote the best interest of the underage party. In fulfilling the guardian ad litem's duties, the guardian ad litem shall assess and consider the emotional development, maturity, intellect, and understanding of the underage party. The guardian ad litem has the authority to obtain any information or reports, whether or not confidential, that the guardian ad litem deems relevant to the case. No privilege other than attorney-client privilege may be invoked to prevent the guardian ad litem and the court from obtaining such information. The confidentiality of the information or reports shall be

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		respected by the guardian ad litem, and no disclosure of any information or reports shall be made to anyone except by order of the court or unless otherwise provided by law. (e) If the last judicial ruling in this proceeding denies the underage party judicial authorization to marry, the underage party shall not seek the authorization of any court again under this section until after one year from the date of the entry of the last judicial ruling rendering the authorization denied. (f) Except as otherwise provided in this section, the rules of evidence in civil cases shall apply to proceedings under this section. All hearings pursuant to this section shall be recorded by stenographic notes or by electronic or mechanical means. Notwithstanding any other provision of law, no appeal of right lies from an order or judgment entered pursuant to this section.
North Dakota	16	<u>N.D. Cent. Code § 14-03-02</u> Any unmarried person of the age of eighteen years or more, and not otherwise disqualified, is capable of consenting to and consummating a marriage. If a person is sixteen to eighteen years of age, a marriage license may not be issued without the consent of the parents or guardian, if there are any. A marriage license may not be issued to any person below the age of sixteen, notwithstanding the consent of the parents or guardian of said person. <u>N.D. Cent. Code § 14-03-17</u> 1... The recorder, or designated official, also shall require each applicant to submit the following facts upon blanks provided by the county, together with documentary evidence of age: a. An affidavit by each of the applicants showing that each is over the age of eighteen years. In addition, each applicant shall exhibit to the recorder, or designated official, a birth certificate or other satisfactory evidence of age. If either applicant is under the age of eighteen years, the recorder, or designated official, shall require the written consent of: (1) Either parent of the minor applicant, if the parents are living together; (2) The parent having the legal custody of the minor applicant, if the parents are not living together; (3) The surviving parent, if one of the parents of the minor applicant is deceased; or (4) The guardian, or person under whose care and government the minor applicant is, if both parents of the minor applicant are deceased, or if a person other than a parent has legal and actual custody of the minor applicant.

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		b. An affidavit showing whether either or both of the parties have been divorced. If a decree of divorce has been granted to either or both of the parties, a certified copy of the decree must be filed with the application. A license shall not be issued if it contravenes any provisions of the divorce decree. 2. All affidavits must be subscribed and sworn to before a person authorized to administer oaths. The recorder, or designated official, shall retain on file all papers and records pertaining to all marriage licenses. Anyone knowingly swearing falsely to the statements contained in any affidavit mentioned in this section is subject to the penalty provided in section 14-03-28. . . . <u>N.D. Cent. Code § 14-10-07</u> A minor, while under the supervision or custody of the juvenile court or the superintendent of the North Dakota youth correctional center, may not marry without the order of the juvenile court or of the superintendent of the North Dakota youth correctional center, as the case may be. Any such marriage made without such order is subject to annulment in a proceeding brought in district court by the state’s attorney or by any person authorized by law to bring such annulment action. A person knowingly aiding, abetting, or encouraging such marriage is guilty of a class A misdemeanor.
Ohio	18 (unless a minor age 17 has been emancipated by court order)	<u>Ohio Rev. Code § 3101.01</u> (A) Except as provided in section 3101.02 of the Revised Code, only male persons of the age of eighteen years, and only female persons of the age of eighteen years, not nearer of kin than second cousins, and not having a husband or wife living, may be joined in marriage. . . . <u>Ohio Rev. Code § 3101.02</u> (A) If both persons to be joined in marriage are the age of seventeen years, they may be joined in marriage only if the juvenile court has filed a consent to the marriage under section 3101.04 of the Revised Code. (B) If only one person is the age of seventeen years, that person may be joined in marriage only if both of the following apply: (1) The juvenile court has filed a consent to the marriage under section 3101.04 of the Revised Code. (2) The other person to be joined in marriage is not more than four years older. <u>Ohio Rev. Code § 3101.04</u> When the juvenile court files a consent to marriage pursuant to the juvenile rules, the probate court may issue a license not earlier than fourteen calendar days after the juvenile court files the consent, notwithstanding either or

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		both the contracting parties for the marital relation are the age of seventeen years. The license shall not issue until section 3101.05 of the Revised Code [see below] has been complied with. <u>Ohio Rev. Code § 3101.041</u> In determining whether to file the consent under section 3101.04 of the Revised Code, the juvenile court shall do all of the following: (A) Consult with any of the following for each party to the intended marriage who is seventeen years of age: (1) A parent; (2) A surviving parent; (3) A parent who is designated the residential parent and legal custodian by a court of competent jurisdiction; (4) A guardian; (5) Either of the following who has been awarded permanent custody by a court exercising juvenile jurisdiction: (a) An adult person; (b) The department of job and family services or any child welfare organization certified by the department. (B) Appoint an attorney as guardian ad litem for each party to the intended marriage who is seventeen years of age; (C) Determine all of the following: (1) Each party to the intended marriage who is seventeen years of age has entered the armed services of the United States, has become employed and self-subsisting, or has otherwise become independent from the care and control of the party's parent, guardian, or custodian. (2) For each party to the intended marriage who is seventeen years of age, the decision of that party to marry is free from force or coercion. (3) The intended marriage and the emancipation under section 3101.042 of the Revised Code is in the best interests of each party to the intended marriage who is seventeen years of age. <u>Ohio Rev. Code § 3101.042</u> When the juvenile court files a consent to marriage pursuant to the juvenile rules, the court shall also issue an order regarding each party to the marriage who is seventeen years of age. The court order shall specify that the party has the capacity of an eighteen-year-old person as described in section 3109.011 of the Revised Code.

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		<u>Ohio Rev. Code § 3101.05</u> (A) The parties to a marriage shall make an application for a marriage license. . . . Each party shall make application and shall state upon oath, the party's name, age, residence, place of birth, occupation, father's name, and mother's maiden name, if known, and the name of the person who is expected to solemnize the marriage. . . . If either applicant is the age of seventeen years, the judge shall require the applicants to state that they received marriage counseling satisfactory to the court. . . . Immediately upon receipt of an application for a marriage license, the court shall place the parties' record in a book kept for that purpose. If the probate judge is satisfied that there is no legal impediment and if one or both of the parties are present, the probate judge shall grant the marriage license. . . . Each person seeking a marriage license shall present documentary proof of age in the form of any one of the following: (1) A copy of a birth record; (2) A birth certificate issued by the department of health, a local registrar of vital statistics, or other public office charged with similar duties by the laws of another state, territory, or country; (3) A baptismal record showing the person's date of birth; (4) A passport; (5) A license or permit to operate a motor vehicle as defined under section 4501.01 of the Revised Code; (6) Any government- or school-issued identification card showing the person's date of birth; (7) An immigration record showing the person's date of birth; (8) A naturalization record showing the person's date of birth; (9) A court record or any other document or record issued by a governmental entity showing the person's date of birth. (B) An applicant for a marriage license who knowingly makes a false statement in an application or affidavit prescribed by this section is guilty of falsification under section 2921.13 of the Revised Code. <u>Ohio Rev. Code § 3109.011</u> A person granted consent to marry under section 3101.04 of the Revised Code has the capacity of a person of the age of eighteen years or more, as described in section 3109.01 of the Revised Code, except that the person is not a qualified elector for purposes of Chapter 3503 of the Revised Code. <u>Ohio Rev. Code § 2151.23</u>

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		(A) The juvenile court has exclusive original jurisdiction under the Revised Code as follows: . . . (10) To hear and determine applications for consent to marry pursuant to section 3101.04 of the Revised Code
Oklahoma	No age floor set by statute. If the statutory exceptions are met, a child of any age could be married.	<u>Okla. Stat. Ann. tit. 43, § 3</u> A. Any unmarried person who is at least eighteen (18) years of age and not otherwise disqualified is capable of contracting and consenting to marriage . . . B. 1. Except as otherwise provided by this subsection, no person under the age of eighteen (18) years shall enter into the marriage relation, nor shall any license issue therefor, except: a. upon the consent and authority expressly given by the parent or guardian of such underage applicant in the presence of the authority issuing such license, b. upon the written consent of the parent or guardian of such underage applicant executed and acknowledged in person before a judge of the district court or the court clerk of any county within the State of Oklahoma, c. if the parent or guardian resides outside of the State of Oklahoma, upon the written consent of the parent or guardian executed before a judge or clerk of a court of record. The executed foreign consent shall be duly authenticated in the same manner as proof of documents from foreign jurisdictions, d. if the certificate of a duly licensed medical doctor or osteopath, acknowledged in the manner provided by law for the acknowledgment of deeds, and stating that such parent or guardian is unable by reason of health or incapacity to be present in person, is presented to such licensing authority, upon the written consent of the parent or guardian, acknowledged in the same manner as the accompanying medical certificate, e. if the parent or guardian is on active duty with the Armed Forces of the United States, upon the written permission of the parent or guardian, acknowledged in the manner provided by law for acknowledgment of deeds by military personnel authorized to administer oaths. Such permission shall be presented to the licensing authority, accompanied by a certificate executed by a commissioned officer in command of the applicant, to the effect that the parent or guardian is on active duty in the Armed Forces of the United States, or f. upon affidavit of three (3) reputable persons stating that both parents of the minor are deceased, or mentally incompetent, or their whereabouts are unknown to the minor, and that no guardian has theretofore been appointed for the minor. The judge of the district court issuing the license may in his or her discretion consent to the marriage in the same manner as in all cases in which consent may be given by a parent or guardian.

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		2. Every person under the age of sixteen (16) years is expressly forbidden and prohibited from entering into the marriage relation except when authorized by the court: - in settlement of a suit for seduction or paternity, or - if the unmarried female is pregnant, or has given birth to an illegitimate child and at least one parent of each minor, or the guardian or custodian of such child, is present before the court and has an opportunity to present evidence in the event such parent, guardian, or custodian objects to the issuance of a marriage license. If they are not present the parent, guardian, or custodian may be given notice of the hearing at the discretion of the court. 3. A parent or a guardian of any child under the age of eighteen (18) years who is in the custody of the Department of Human Services or the Department of Juvenile Justice shall not be eligible to consent to the marriage of such minor child as required by the provisions of this subsection. 4. Any certificate or written permission required by this subsection shall be retained by the official issuing the marriage license. Okla. Stat. Ann. tit. 43, § 5 A. Persons desiring to be married in this state shall submit an application in writing signed and sworn to in person before the clerk of the district court by both of the parties setting forth: - The place of residence of each party; - The full legal name and the age of each party as they appear upon or are calculable from a certified copy of the birth certificate, the current driver license or identification card, the current passport or visa, or any other certificate, license or document issued by or existing pursuant to the laws of any nation or of any state, or political subdivision thereof, accepted as proof of identity and age; ... C. In the event that one or both of the parties are under legal age, the application shall have been on file in the court clerk's office for a period of not less than seventy-two (72) hours prior to issuance of the marriage license. . . .
Oregon	18	Or. Rev. Stat. § 106.010²⁶ Marriage is a civil contract entered into in person by males at least 18 years of age and females at least 18 years of age, who are otherwise capable, and solemnized in accordance with ORS 106.150 [solemnization and witness requirements]. Or. Rev. Stat. § 106.050

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		(1) The county clerk may accept any reasonable proof of the age of an applicant for a marriage license satisfactory to the clerk. The clerk may require proof of age by affidavit of some person other than either of the parties seeking the license if the clerk deems it necessary in order to determine the age of an applicant to the clerk's satisfaction.
Pennsylvania	18	Pa. Cons. Stat. Ann. tit. 23, § 1304 ... (b) Minors.-- (1) No marriage license may be issued if either of the applicants for a license is under 18 years of age.²⁷
Rhode Island	18	R.I. Gen. Stat. § 15-2-14 A marriage license shall only be granted to a person of full age, attaining the age of eighteen (18) years shall be deemed full legal age pursuant to 15-12-1.
South Carolina	16	S.C. Code § 20-1-100 Any person under the age of sixteen is not capable of entering into a valid marriage, and all marriages hereinafter entered into by such persons are void ab initio. A common-law marriage hereinafter entered into by a person under the age of sixteen is void ab initio. S.C. Code § 20-1-250 A marriage license must not be issued when either applicant is under the age of sixteen. When either applicant is between the ages of sixteen to eighteen and that applicant resides with father, mother, other relative, or guardian, the probate judge or other officer authorized to issue marriage licenses shall not issue a license for the marriage until furnished with a sworn affidavit signed by the father, mother, other relative, or guardian giving consent to the marriage. S.C. Code § 20-1-260²⁸ The probate judge or any other officer authorized by law to issue marriage licenses shall not issue any license to any applicant under the age of eighteen years until he has filed a birth certificate, or a hospital or baptismal certificate which has been issued and dated within one year after birth, or a certified copy thereof, showing that he is of lawful age, which shall be filed in the records of his office with the application for such license. Provided, when an original birth, baptismal or hospital certificate is presented a copy of it shall be made and the original returned to the applicant. If the applicant shall certify in writing to the probate judge or such officer that he, after diligent effort, is unable to obtain a birth certificate or a hospital or baptismal certificate, the applicant shall then be

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		required to have his parents, legal guardian or person with whom he resides execute an affidavit before any person authorized by law to administer an oath and under seal, which affidavit shall contain such information as will establish the age of the applicant. Provided, further, that upon the request of the applicant, any original birth, baptismal or hospital certificate presently on file with the court may be copied and the original returned to the applicant. Persons applying for marriage licenses in lieu of furnishing birth certificates or hospital or baptismal certificates may present the following: military service identification card; selective service identification card; passports and visas.
South Dakota	16	<u>S.D. Codified Laws § 25-1-9</u> Any unmarried applicant for a marriage license who is eighteen years old or older, and who is not otherwise disqualified, is capable of consenting to and consummating a marriage. If either applicant for a marriage license is between the age of sixteen and eighteen, that applicant shall submit to the register of deeds a notarized statement of consent to marry from one parent or legal guardian of the applicant. <u>S.D. Codified Laws § 25-1-10.1</u> To obtain a marriage license, each applicant shall sign the application in person in the presence of the register of deeds or in the presence of a person duly appointed by the register to act in the register's behalf. Each applicant shall provide valid personal identification and provide proof of age prior to issuance of the marriage license. Proof of age and personal identification shall be satisfied by providing a valid: (1) Passport; (2) Federal, state, military, or tribal photo identification; (3) Certified birth certificate, along with a current school or employment photo ID; or (4) Certified birth certificate, along with a U.S. Department of the Treasury Form 4029 that is completed. On the marriage license application, each applicant shall provide the surname the applicant shall be known by after the solemnization of the marriage. This choice shall be indicated on the certificate of marriage and serve as a legal means for a name change. However, a legal name change may not be obtained under this section if either of the applicants is changing a first or a middle name or changing a last name to something other than the applicant's surname, the spouse's surname, or the applicants' hyphenated surnames. Additionally, no person may use a power of attorney to obtain a marriage license. <u>S.D. Codified Laws § 25-1-13</u>

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		If either party is a minor, no marriage license shall be granted unless the written consent of the parent or guardian, duly acknowledged by the parent or guardian, or proved to be genuine, is filed in the office of the county register of deeds prior to issuing the license, and a memorandum of the facts shall be entered in the marriage record book with the other records of the marriage license.
Tennessee ²⁹	17	Tenn. Code Ann. § 36-3-104 (a)(1) No county clerk or deputy clerk shall issue a marriage license until the applicants make an application in writing, stating the names, ages, addresses and social security numbers of both the proposed male and female contracting parties and the names and addresses of the parents, guardian or next of kin of both parties. The application shall be sworn to by both applicants. . . . Tenn. Code Ann. § 36-3-105 (a) It is unlawful for any county clerk or deputy clerk in this state to issue a marriage license to any person where: (1) Either of the contracting parties is under seventeen years of age; or (2) One (1) of the contracting parties is at least seventeen (17) years of age but less than eighteen (18) years of age and the other contracting party is at least four (4) years older than the minor contracting party. (b) Any marriage contracted in violation of subsection (a) may be annulled upon proper proceedings therefor by such person or any interested person acting in the person's behalf. Tenn. Code Ann. § 36-3-106 (a) When either applicant is under eighteen (18) years of age, the parents, guardian, next of kin or party having custody of the applicant shall join in the application, under oath, stating that the applicant is seventeen (17) years of age or over and that the applicant has such person's consent to marry. (b) If the applicant is in the legal custody of any public or private agency or is in the legal custody of any person other than a parent, next of kin or guardian, then such person or the duly authorized representative of such agency shall join in the application with the parent, guardian or next of kin stating, under oath, that the applicant is seventeen (17) years of age but less than eighteen (18) years of age and that the applicant has such person's consent to marry. This subsection (b) does not apply to applicants who are in the legal custody of the department of mental health and substance abuse services or the department of intellectual and developmental disabilities.

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		(c) The parents, guardian, next of kin, other person having custody of the applicant, or duly authorized representative of a public or private agency having legal custody of the applicant shall join in the application either by personal appearance before the county clerk or deputy county clerk, or by submitting a sworn and notarized affidavit. (d) The consent of the applicant's parents, guardian, next of kin, other person having custody of the applicant, or duly authorized representative of a public or private agency having legal custody of the applicant is not required if the applicant is emancipated at the time of the application. (e) Marriage shall remove the disabilities of minority. A minor emancipated by marriage shall be considered to have all the rights and responsibilities of an adult, except for specific constitutional or statutory age requirements, including voting, the use of alcoholic beverages, and other health and safety regulations relevant to the minor because of the minor's age. (f) A minor shall be advised of the rights and responsibilities of parties to a marriage and of emancipated minors. The minor shall be provided with a fact sheet on these rights and responsibilities to be developed by the administrative office of the courts. The fact sheet shall include referral information for legal aid agencies in this state and national hotlines for domestic violence and sexual assault. (g) As used in this section, "parent" or "parents" means a person or persons listed as a parent on the child's birth certificate or who have been adjudicated to be the legal parent of the child by a court of competent jurisdiction.
Texas ³⁰	18 (unless a minor age 16-17 has been emancipated by court order)³¹	Tex. Fam. Code. §. 2.003 (a) A person under 18 years of age may not marry unless the person has been granted by this state or another state a court order removing the disabilities of minority of the person for general purposes. (b) In addition to the other requirements provided by this chapter, a person under 18 years of age applying for a license must provide to the county clerk: (1) A court order granted by this state under Chapter 31³² removing the disabilities of minority of the person for general purposes; or (2) If the person is a nonresident minor, a certified copy of an order removing the disabilities of minority of the person for general purposes filed with this state under Section 31.007. Tex. Fam. Code § 2.006

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		(a) If an applicant who is 18 years of age or older is unable to appear personally before the county clerk to apply for a marriage license, any adult person or the other applicant may apply on behalf of the absent applicant. (b) The person applying on behalf of an absent applicant shall provide to the clerk: (1) Notwithstanding Section 132.001, Civil Practice and Remedies Code, the notarized affidavit of the absent applicant as provided by this subchapter; and (2) Proof of the identity and age of the absent applicant under Section 2.005(b).³³ Tex. Fam. Code § 2.009 (a) Except as provided by Subsections (b) and (d), the county clerk may not issue a license if either applicant: (1) Fails to provide the information required by this subchapter; (2) Fails to submit proof of age and identity; (3) Is under 18 years of age and has not presented: (A) A court order granted by this state under Chapter 31 removing the disabilities of minority of the applicant for general purposes; or (B) If the applicant is a nonresident minor, a certified copy of an order removing the disabilities of minority of the applicant for general purposes filed with this state under Section 31.007;... Tex. Fam. Code § 2.101 A county clerk may not issue a marriage license if either applicant is under 18 years of age, unless each underage applicant shows that the applicant has been granted by this state or another state a court order removing the disabilities of minority of the applicant for general purposes.
Utah	16	Utah Code § 81-2-301 As used in this part:... (3) "Minor" means an individual who is 16 or 17 years old. Utah Code § 81-2-203 (3) (a) If one or both of the applicants is a minor, the county clerk shall provide each minor with a standard petition on a form provided by the Judicial Council to be presented to the juvenile court to obtain the authorization required by Section 81-2-304. (b) The form described in Subsection (3)(a) shall include: (i) all information described in Subsection (1);

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		(ii) a place for the parent or legal guardian to indicate the parent or legal guardian's relationship to the minor in accordance with Subsection 81-2-304(1)(a); (iii) an affidavit for the parent or legal guardian to acknowledge the penalty described in Section 81-2-304 signed under penalty of perjury; (iv) an affidavit for each applicant regarding the accuracy of the information contained in the marriage application signed under penalty of perjury; and (v) a place for the clerk to sign that indicates that the following have provided documentation to support the information contained in the form: (A) each applicant; and (B) the minor's parent or legal guardian. <u>Utah Code § 81-2-304</u> (1) (a) If an applicant is a minor at the time of applying for a license, a county clerk may not issue a marriage license without the signed consent of the minor's parent or legal guardian given in person to the clerk, except that: (i) if the parents of the minor are divorced, consent shall be given by the parent having legal custody of the minor as evidenced by an oath of affirmation to the clerk; (ii) if the parents of the minor are divorced and have been awarded joint custody of the minor, consent shall be given by the parent having physical custody of the minor the majority of the time as evidenced by an oath of affirmation to the clerk; or (iii) if the minor is not in the custody of a parent, the legal guardian shall provide the consent and provide proof of guardianship by court order as well as an oath of affirmation. (b) Each applicant, and the minor's consenting parent or legal guardian if an applicant is a minor, shall appear in person before the county clerk and provide legal documentation to establish the following information: (i) the legal relationship between the minor and the minor's parent or legal guardian; (ii) the legal name and identity of the minor; and (iii) the birth date of each applicant. (c) An individual may present the following documents to satisfy a requirement described in Subsection (1)(b): (i) for verifying the legal relationship between the minor and the minor's parent or legal guardian, one of the following: (A) the minor's certified birth certificate with the name of the parent, and an official translation if the birth certificate is in a language other than English; (B) a report of a birth abroad with the name of the minor and the parent; (C) a certified adoption decree with the name of the minor and the parent; or

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		(D) a certified court order establishing custody or guardianship between the minor and the parent or legal guardian; (ii) for verifying the legal name and identity of the minor, one of the following: (A) an expired or current passport; (B) a driver's license; (C) a certificate of naturalization; (D) a military identification (E) a state identification card; or (F) a government employee identification card from a federal, state, or municipal government; and (iii) for verifying the birth date of each applicant, one of the following for each applicant: (A) a certified birth certificate; (B) a report of a birth abroad; (C) a certificate of naturalization; (D) a certificate of citizenship; (E) a passport; (F) a driver's license; or (G) a state identification card. (d) An individual may not use a temporary or altered document to satisfy a requirement described in Subsection (1)(b). (2) (a) The minor and the parent or legal guardian of the minor shall obtain a written authorization to marry from: (i) a judge of the court exercising juvenile jurisdiction in the county where either party to the marriage resides; or (ii) a court commissioner as permitted by rule of the Judicial Council. (b) Before issuing written authorization for a minor to marry, the judge or court commissioner shall determine: (i) that the minor is entering into the marriage voluntarily; and (ii) the marriage is in the best interest of the minor under the circumstances. (c) The judge or court commissioner shall require that both parties to the marriage complete premarital counseling, except the requirement for premarital counseling may be waived if premarital counseling is not reasonably available. (d) The judge or court commissioner may require: (i) that the minor continue to attend school, unless excused under Section 53G-6-204; and

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		(ii) any other conditions that the court deems reasonable under the circumstances. (e) The judge or court commissioner may not issue a written authorization for a minor to marry if the age difference between both parties to the marriage is more than four years. (f) The judge or court commissioner may not issue a written authorization for a minor to marry until at least 72 hours after the time at which the minor and the minor's parent or legal guardian file the petition for the written authorization. (3) (a) The determination required in Subsection (2) shall be made on the record. (b) Any inquiry conducted by the judge or commissioner may be conducted in chambers. <u>Utah Code §81-2-403</u> (1) The following marriages are prohibited and declared void: ... (b) except as provided in Subsection (2), the individual marrying is under 18 years old; or (c) between a divorced individual and any individual other than the one from whom the divorce was secured until: (i) the divorce decree becomes absolute; and (ii) if an appeal is taken, until after the affirmance of the divorce decree. (2) A marriage of an individual under 18 years old is not void if the individual: (a) is 16 or 17 years old and obtains consent from a parent or guardian and juvenile court authorization in accordance with Section 81-2-304; or (b) lawfully marries before May 14, 2019.
Vermont	18	<u>Vt. Stat. tit. 18, § 5142</u> The following persons are not authorized to marry, and a town clerk shall not knowingly issue a civil marriage license, when: (1) either party is under 18 years of age; ...
Virginia	18	<u>Va. Code § 20-45.1</u> ... C. All marriages solemnized on or after (i) July 1, 2016, when either or both of the parties were, at the time of the solemnization, under the age of 18 and have not been emancipated as required by §20-48 or

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		(ii) July 1, 2024, when either or both of the parties were, at the time of solemnization, under the age of 18 shall be void from the time they shall be so declared by a decree of divorce or nullity. Notwithstanding the foregoing, this section shall not apply to a lawful marriage entered in another state or country prior to the parties being domiciled in the Commonwealth. <u>Va. Code § 20-48</u> The minimum age at which persons may marry shall be 18.
Washington	18	<u>Wash. Rev. Code § 26.04.010</u> (1) Marriage is a civil contract between two persons who have each attained the age of 18 years, and who are otherwise capable. (2) Every marriage entered into in which either person has not attained the age of 18 years is void. <u>Wash. Rev. Code § 26.04.210</u> (1) The county auditor, before a marriage license is issued, upon the payment of a license fee as fixed in RCW 36.18.010 shall require each applicant therefor to make and file in the auditor's office upon blanks to be provided by the county for that purpose, an affidavit showing that if an applicant is afflicted with any contagious sexually transmitted disease, the condition is known to both applicants, and that the applicants are the age of 18 years or over. Such affidavit may be subscribed and sworn to before any person authorized to administer oaths.
West Virginia	16	<u>W. Va. Code § 48-2-301</u> (a) The age of consent for marriage for both the male and the female is eighteen years of age. A person under the age of eighteen lacks the capacity to contract a marriage without the consent required by this section. (b) The clerk of the county commission may issue a marriage license to an applicant who is under the age of 18 but at least 16 years of age if the clerk obtains valid written consent from the applicant and from the applicant's parent or parents or the applicant's legal guardian or guardians as outlined in this section: Provided, That a marriage license may not be issued to an applicant who is under the age of 18 but who is at least 16 years of age if the person whom the applicant seeks to marry is more than four years older than the applicant. (c) An applicant who is under the age of 18 but who is at least 16 years of age must give his or her signed and acknowledged affirmation that he or she is freely and voluntarily choosing to enter into a marriage with the person

State	Age Floor Set by Statute?	State Code Provisions
		named in the application as part of the written consent required by this section. The applicant must also provide, as part of the same written consent, a signed and acknowledged affirmation that his or her decision to enter into the marriage is not the product of duress or coercion by any person. (d) A consent to marry must be duly acknowledged before an officer authorized to acknowledge a deed. If the parents of the applicant are living together at the time the application for a marriage license is made and the consent is given, the signatures of both parents or the signature of the applicant's legal guardian or guardians is required. If one parent is dead, the signature of the surviving parent or the applicant's legal guardian or guardians is required. If both parents are dead, the signature of the applicant's legal guardian or guardians is required. If the parents of the applicant are living separate and apart, the signature of the parent or parents having decision-making authority for the applicant, or the applicant's legal guardian or guardians is required: Provided, That, if the applicant's parents are separate and apart or divorced but have substantially equal parenting rights over the applicant, the signature of both parents is required. (e) A person who is under the age of 18 but at least 16 years of age and who is married in accordance with the provisions of this section may petition, without the consent of his or her parents or legal guardian or guardians, for an annulment of that marriage until he or she reaches 18 years of age. (f) Nothing in this section may serve to annul or void a marriage entered into prior to the re-enactment of this statute during the 2023 Regular Session of the Legislature, nor shall it serve to annul or void an otherwise legal marriage entered into in a jurisdiction outside of the State of West Virginia. <u>W. Va. Code § 48-2-106</u> (a) At the time of the execution of the application, the clerk or other person administering the oath to the applicants shall require evidence of the age of each of the applicants and shall not issue a license until it has been confirmed that each applicant satisfies the age requirements for marriage set forth by §48-2-301 of this code. Evidence of age may be as follows: (1) A certified copy of a birth certificate or a duplicate certificate produced by any means that accurately reproduces the original; (2) A voter's registration certificate; (3) An operator's or chauffeur's license; (4) The affidavit of both parents or the legal guardian of the applicant; or (5) Other good and sufficient evidence.

State	Age Floor Set by Statute?	State Code Provisions
Wisconsin ³⁴	16	<u>Wis. Stat. Ann. § 765.02</u> (1) Every person who has attained the age of 18 years may marry if otherwise competent. (2) If a person is between the age of 16 and 18 years, a marriage license may be issued with the written consent of the person's parents, guardian, custodian under s. 767.225 (1) [temporary custody order] or 767.41 [custody order], or parent having the actual care, custody and control of the person. The written consent must be given before the county clerk under oath, or certified in writing and verified by affidavit or affirmation before a notary public or other official authorized to take affidavits. The written consent shall be filed with the county clerk at the time of application for a marriage license. If there is no guardian, parent or custodian or if the custodian is an agency or department, the written consent may be given, after notice to any agency or department appointed as custodian and hearing proper cause shown, by the court having probate jurisdiction. <u>Wis. Stat. Ann. § 765.09</u> (3) (a) Each applicant for a marriage license shall present satisfactory, documentary proof of identification and residence and shall swear to or affirm the application before the clerk who is to issue the marriage license or the person authorized to accept marriage license applications in the county and state where the party resides. ... (b) Each applicant for a marriage license shall exhibit to the clerk a certified copy of a birth record, ... If any applicable birth record ...is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu of the birth certificate...
Wyoming	16	<u>Wyo. Stat. § 20-1-101</u> Marriage is a civil contract. . . to which the consent of the parties capable of contracting is essential. <u>Wyo. Stat. § 20-1-102</u> (a) At the time of marriage the parties shall be at least eighteen (18) years of age except as otherwise provided. No person shall marry who is under the age of sixteen (16) years. (b) All marriages involving a person sixteen (16) or seventeen (17) years of age are prohibited and voidable, unless before contracting the marriage a judge of a court of record in Wyoming approves the marriage and authorizes the county clerk to issue a license therefor. All marriages involving a person under sixteen (16) years of age are void. (c) When either party is sixteen (16) or seventeen (17) years of age, no license shall be granted without the verbal consent, if present, and written consent, if absent, of the father, mother, guardian or person having the care and

State	Age Floor Set by Statute?	State Code Provisions
		control of the person sixteen (16) or seventeen (17) years of age. Written consent shall be proved by the testimony of at least one (1) competent witness. (d) Notwithstanding the provisions of this section, parties may marry without the authorization of a judge of a court of record or the consent of any other person if both of the parties are not less than sixteen (16) years of age and if every party that is under eighteen (18) years of age meets the requirements for the right to contract under W.S. 14-1-102 or has received a declaration of emancipation pursuant to W.S. 14-1-203.³⁵ <u>Wyo. Stat. § 20-1-103</u> (a) Before solemnization of any marriage in this state, a marriage license shall be obtained from a Wyoming county clerk. (b) Application for a marriage license shall be made by one (1) of the parties to the marriage before the license is issued. Upon receipt of an application, the county clerk shall ascertain by the testimony of a competent witness and the applicant, the names, the social security numbers of the parties who have valid social security numbers, residences and ages of the parties and whether there is any legal impediment to the parties entering into the marriage contract according to the laws of the state of their residence. The clerk shall enter the facts ascertained in a book kept by him for that purpose, except for the social security numbers which shall be provided to the state office of vital records and not made a part of the county public record. He may issue a license to marry and shall date the license on the date of issuance except as otherwise provided. (c) Unless there is an order to waive the requirements of this section by a judge of a court of record in the county pursuant to W.S. 20-1-105 [see below], the clerk shall refuse to issue a license if: (i) Either of the parties is legally incompetent to enter into a marriage contract according to the law of this state; or (ii) There is any legal impediment; or (iii) Either party is sixteen (16) or seventeen (17) years of age and the consent of a parent or guardian has not been given except as provided in W.S. 20-1-102(d). <u>Wyo. Stat. § 20-1-105</u> (a) If any county clerk refuses to issue a license to marry, or in case of circumstances arising which would necessitate the waiver of any one (1) or more of the requirements of W.S. 20-1-102 and 20-1-103(b) and (c), either applicant for the license may apply to the district court of the county for the issuance of a license without compliance with one (1) or more of those requirements. If the judge finds that a license should be issued, or such circumstances exist that it is proper that any one (1) or more of the requirements should be waived, the judge may

State	Age Floor Set by Statute?	State Code Provisions
		order in writing the issuance of the license. Upon the order of the judge being filed with the county clerk, the county clerk shall issue the license at the time specified in the order. No fee or court costs shall be charged or taxed for the order. (b) If either party is sixteen (16) or seventeen (17) years of age, the parents or guardians may apply to any judge of a court of record in the county of residence of the person sixteen (16) or seventeen (17) years of age for an order authorizing the marriage and directing the issuance of a marriage license. If the judge believes it advisable, he shall enter an order authorizing the marriage and directing the county clerk to issue a license. Upon filing of a certified copy of the order with the county clerk, the county clerk shall issue a license and endorse thereon the fact of the issuance of the order. No person authorized to perform marriage ceremonies in Wyoming shall perform any marriage ceremony if either party is under the age of sixteen (16) years. (c) Before issuing the order provided by this section the judge may require affidavits or other proof of the competency of the parties or of any other facts necessitating or making the order advisable. The order may be in substantially the following form: I, the undersigned, a judge of the court, a court of record in and for county, Wyoming, hereby order that a marriage license may issue to of (address) and of (address) on the day of (year) Date:

Territory	Age Floor Set by Statute?	Territory Code Provisions
American Samoa	18	Am. Samoa Code § 42-0101³⁶ To enter into a valid marriage contract: ... (b) The male shall be at least 18 years of age and the female at least 18 years of age.
Guam	No age floor set by statute. If the statutory exceptions are met, a child of any age could be married.	<u>19 Guam Code Ann. § 3102</u> Any unmarried person of the age of eighteen (18) years or older, and not otherwise disqualified, is capable of consenting to and consummating marriage; provided, that any person under the age of eighteen (18) years and over the age of sixteen (16) years, with the consent in writing of the parents of the person under age, or one of such parents, or of his or her guardian, where such written consent is filed with the Director of Administration, as provided in § 3202 of this Title, is capable of consenting to and consummating marriage. <u>19 Guam Code Ann. § 3202</u> (b) (1) If an applicant is under the age of eighteen (18) and has not been previously married, no license shall be issued unless the consent in writing of a parent or guardian of the person under age is presented with the application. (A) A consent must be verified and such consent shall be retained with the application in the files of the Department of Public Health and Social Services. (B) The fact of the consent shall be noted upon the license. (C) In addition to the consent required, no license shall be issued for any person between the age of sixteen (16) and eighteen (18) unless the marriage of that person has been approved by an order in writing issued from the Superior Court. (D) A license to marry shall not be issued to any person under the age of sixteen (16) unless the court authorizes a license to be issued to an applicant who is under sixteen (16) and with a child.
Northern Mariana Islands	No age floor set by statute.³⁷ If the statutory exceptions are met, a child of	<u>8 N. Mar. I. Code § 1201</u> To make valid the marriage contract between two noncitizens or between a noncitizen and a citizen of the Trust Territory, it is necessary that: (a) The male at the time of contracting the marriage be at least 18 years of age and the female at least 16 years of age, and if the female is less than 18 years of age she must have the consent of at least one of her parents or her guardian; (b) Neither of the respective parties has a lawful spouse living; and,

Territory	Age Floor Set by Statute?	Territory Code Provisions
	any age could be married.	(c) A marriage ceremony be performed by a duly authorized person as provided in this chapter. 8 N. Mar. I. Code § 1205 Marriage contracts between parties, both of whom are citizens of the Trust Territory, solemnized in accordance with recognized customs, shall be valid, a notice of the marriage, showing the names and addresses of the persons married, their ages and the date of marriage, shall be sent to the clerk of courts of the Commonwealth Trial Court, who shall, upon its receipt, record it in the marriage register.
Puerto Rico	18 ³⁸	PR Laws tit. 1, § 6593 Tiene capacidad para contraer matrimonio la persona que: (a) Es mayor de edad; (b) tiene discernimiento para consentir a la unión y obligarse a cumplir los deberes que conlleva; y (c) no está impedida por la ley a unirse en matrimonio al otro contrayente. PR Laws tit. 1, § 6595 No pueden contraer matrimonio: ... (b) las personas que no han cumplido dieciocho (18) años de edad PR Laws tit. 1, § 6596 Para contraer matrimonio, el menor que ha cumplido los dieciocho (18) años necesita la autorización de las personas que ejercen sobre él la patria potestad o la tutela. Si estas se niegan a consentir al matrimonio, el tribunal puede autorizarlo luego de celebrar una vista para conocer las causas de la negativa y determinar si el menor tiene discernimiento para entender la naturaleza del matrimonio y las obligaciones que conlleva. PR Laws tit. 1, § 6597 Si el contrayente menor de edad que ha cumplido dieciocho (18) años no está sujeto a la patria potestad o a tutela, el tribunal le nombrará, de entre sus parientes más cercanos, un tutor especial para ese mismo propósito. En caso de no existir parientes, el tribunal nombrará un tutor para suplir su consentimiento al matrimonio. El nombramiento se hará constar en la licencia matrimonial y en el libro de sentencias del tribunal.
United States Virgin Islands	18	16 V.I.C. § 2 A marriage is illegal and shall be void from the time its nullity is declared by decree, if either party thereto—

Territory	Age Floor Set by Statute?	Territory Code Provisions
		... (4) is under the age of consent, which is hereby declared to be 18 years of age. <u>16 V.I.C. § 36</u> If upon the examination prescribed by § 35 of this chapter, it appears that the applicant is under 18 years of age, the court shall not, under any circumstances issue a marriage license.

¹ Originally compiled by the Tahirih Justice Center (tahirih.org) with pro bono assistance from Hogan Lovells US, LLP in November 2016; last updated September 30, 2025.

² This chart focuses on statutory requirements specifically for the issuance of marriage licenses to minors. Statutes that address whether marriages involving minors are “voidable,” whether marriage automatically emancipates a minor, whether penalties apply to individuals (such as clerks or religious officiants) who do not follow statutory requirements for marriages involving minors, or other related provisions, are generally outside the scope of this chart. Also outside the scope of this chart are statutes of general application to all marriage license applicants.

For a detailed, comparative analysis of provisions in all 50 states and DC that can leave children more vulnerable to forced marriage and the harms of early marriage, or help keep them safe, please see Tahirih’s report, *Falling Through the Cracks: How Laws Allow Child Marriage to Happen in Today’s America* (August 2017, with appendices updated September 2025). Tahirih’s report, a factsheet on the harmful impacts of child marriage, a compilation of 20 survivors’ stories, and other key resources are available at tahirih.org/childmarriage. For more information about the national legislative landscape or about how a particular state’s marriage-related laws or proposed reforms may impact children, contact the Tahirih Justice Center at policy@tahirih.org.

³ Five states (California, Hawaii, Kansas, New Mexico, Oklahoma) require judicial approval for all parties under age 16; depending on the state, there may be no age floor, or an age floor of 15 (Hawaii, Kansas). Mississippi has no age floor and requires judicial approval for males under age 17, however, for female children in Mississippi judicial review is only required if they are under age 15.

⁴ Marriage license data obtained from several states, for example, reveals that judges have approved marriages of young children to much older adults. See, e.g., statistics and examples cited in June Leffler, “[As Child Marriages Drop, Hundreds Still Marry in Kentucky Each Year](#)” (*Kentucky Center for Investigative Reporting*, August 29, 2017); Anjali Tsui, Dan Nolan and Chris Amico, “[Child Marriage in America: By the Numbers](#)” (*PBS Frontline*, July 6, 2017); and Nicholas Kristof, “[11 Years Old, A Mom, and Pushed to Marry Her Rapist in Florida](#)” (*New York Times* Op-Ed, May 26, 2017) and “[An American 13-Year-Old, Pregnant, and Married to Her Rapist](#)” (*New York Times* Op-Ed, June 1, 2018).

⁵ This number does not include South Carolina, though a new law relating to marriage-age has been enacted there. On May 13, 2019, South Carolina’s governor signed [SB 196](#) into law, effective upon signature, to clarify that South Carolina has a firm minimum marriage age of 16. The legislation responded to investigative reporting that confirmed that judicial interpretations of prior minimum marriage age statutes had been inconsistent, and that some probate judges were granting marriage licenses in cases where a child was pregnant notwithstanding the fact that a girl was younger than age 16. See Lauren Sausser, “[In SC, pregnant girls as young as 12 can marry. There’ve been 7,000 child brides in 20 years](#)” (*The Post and Courier*, June 21, 2018).

As interpreted by the South Carolina Office of the Attorney General, legislative reforms back in 1997 had *already* instituted age 16 as the minimum marriage age (see S.C. Office of the Attorney General, 1997 WL 665423 (S.C.A.G. Sept. 2, 1997), available at <http://www.scag.gov/archives/category/opinions/1997opinions>). However, the 1997 reforms did not harmonize all statutory provisions related to marriage age, such as a pregnancy exception to age 18 that was set forth in [Section 20-1-300 of the 1976 Code](#). By definitively repealing Section 20-1-300, South Carolina has now made clear that there is a firm age floor of 16, regardless of pregnancy. But because the new law simply underscores what was already the legislature’s intent in enacting earlier reforms, South Carolina is not included in the tally of 36 states that have *changed their laws* since 2016 to end or limit child marriage.

⁶ A total of 14 states and Washington DC had a reform introduced during 2025’s legislative sessions.

⁷ This compilation reflects all minimum marriage-age reform bills that had been enacted by September 30, 2025. Jurisdictions that have made legislative reforms to end or limit child marriage, in order of effective dates, are: Virginia (July 1, 2016); New York (July 20, 2017); Texas (September 1, 2017); Connecticut (October 1, 2017); Delaware (May 9, 2018); Tennessee (May 21, 2018); New Jersey (June 22, 2018); Florida (July 1, 2018); Kentucky (July 14, 2018); Arizona (August 3, 2018); Missouri (August 28, 2018); American Samoa (October 21, 2018); New Hampshire (January 1, 2019); California (January 1, 2019); Ohio (April 8, 2019); Utah (May 14, 2019); Georgia (July 1, 2019); Arkansas (July 24, 2019); Louisiana (August 1, 2019); Colorado (August 2, 2019); Nevada (October 1, 2019); U.S. Virgin Islands (January 18, 2020); Maine (June 16, 2020); Indiana (July 1, 2020); Idaho (July 1, 2020); Pennsylvania (July 7, 2020); Minnesota (August 1, 2020); Puerto Rico (November 28, 2020); Utah (May 4, 2021); Rhode Island (June 7, 2021); New York (August 21, 2021); North Carolina (August 26, 2021); Massachusetts (July 1, 2022); Maryland (October 1, 2022); Alaska (November 30, 2022); Maine (June 1, 2023); West Virginia (June 9, 2023); Wyoming (July 1, 2023); Vermont (July 1, 2023); Connecticut (July 1, 2023); Michigan (September 27, 2023); Washington (June 6, 2024); Virginia (July 1, 2024); New Hampshire

(January 1, 2025); Washington, DC (March 21, 2025); Utah (May 7, 2025); Missouri (August 28, 2025); Maine (September 16, 2025); and Oregon (January 1, 2026). Note that several states have passed reforms in multiple phases and are thus listed multiple times here with each effective date listed.

Alabama is the only state that has arguably *regressed* in its approach to child marriage over this time period. [SB 69](#), a bill signed into law on May 31, 2019 and effective August 29, 2019, abolished across the board the requirement that marriage licenses be issued by probate judges. Previously, a probate judge was at least nominally involved in the process of granting a marriage license for the marriage of a minor and was required to verify the consent of both the minor's parents/guardians. Now the parental consent requirement can be satisfied by one parent or guardian simply filing an affidavit with the court.

⁸ The legal structures of each U.S. territory vary in important ways from the laws in U.S. states and the federal district of Washington, DC. For example, the "age of majority" works somewhat differently in Puerto Rico: it is set at 21 rather than 18, but 18-year-olds still have many of the rights we would associate with adulthood in the United States (in contrast to states like Mississippi where the age of majority is also 21, but rights of adulthood do not confer at 18). Another example comes from the Northern Marianas Islands, where the statute on marriage age establishes different rules for marriage depending on whether the two parties are citizens of the territory or not; citizen marriages rely on customary law and rules are not dictated in statute, while non-citizens are subject to a clear minimum marriage age. For this reason, we have broken out territories into a separate section rather than folding them into the larger chart of state & district laws.

⁹ Nebraska also requires parental consent until age 19, which is the state's age of majority.

¹⁰ For more information about the different types of reforms instituted by states that have added safeguards without fully banning child marriage, see "Comparing Compromises: Varying Impacts of Laws that Limit, but do not End Child Marriage," Tahirih Justice Center (2023) available at <https://www.tahirih.org/news/new-report-compares-impact-of-compromise-legislation-to-end-child-marriage-in-the-u-s/>.

¹¹ As noted above, recent legislative reforms in Alabama abolished the requirement that probate judges be involved in marriage license issuance. Of further note, while Alabama requires parental consent for 16- and 17-year-olds, a minor does not actually reach the age of majority until age 19, meaning that minors age 18 may consent to marry independent of parental consent. [Ala. Code §26-1-1\(a\)](#) sets forth age 19 as the age of majority, but [Ala. Code §26-1-1\(f\)](#) makes clear that "Notwithstanding subsection (a), an unemancipated minor who is 18 years old and of sound mind, notwithstanding his or her minority, may enter into a binding contract as may be exercised by an individual of full legal age [and may not] by reason of his or her minority...rescind, avoid, or repudiate the contract or rescind, avoid, or repudiate any exercise of a right or privilege under the contract."

¹² This emancipation exception is likely to apply only in a small minority of cases. For reference, however, see the criteria and process for emancipation in Arizona as detailed at [ARS §12-2451](#) et seq. including a "best interests" inquiry outlined at [§12-2453](#).

¹³ While not the focus of this compilation, state statutes also vary in how they treat the automatic voiding or voidability of marriages completed while either party was under that states' minimum age of marriage. Automatically voiding marriages executed when one party was under the minimum marriage age must be handled carefully, as this may impact a child marriage survivor's ability to obtain certain benefits such as alimony from a party who coerced her into an illegal marriage or VAWA relief. For this reason we generally recommend making these marriages "voidable" rather than automatically "void," and/or including language that ensures the marriage can only be voided if that claim is brought by the party who was underage at the time of the marriage – not by an adult party who may be seeking to have the marriage voided as a way to deny their former spouse access to the legal and monetary benefits imbued by marriage.

¹⁴ Colorado also recognizes common law marriage, but per [Colo. Rev. Stat. § 14-2-109.5](#), the state does not recognize a common-law marriage if either party entered it under age 18. Likewise, Colorado also permits licenses to be issued for marriages to be solemnized by proxy, but per [Colo. Rev. Stat. § 14-2-109](#), both parties to the marriage must be age 18 or older.

¹⁵ Recent reforms to Colorado's minimum marriage age laws and exceptions also strengthened proof-of-age and proof-of-identity requirements for marriage license applications in [Colo. Rev. Stat. § 14-2-105](#); made appropriations for court-appointed counsel; and clarified certain rights of married minors in a new section [Colo. Rev. Stat. § 14-2-109.3](#). The rights of a married minor include the right to establish a separate domicile, the right to file legal motions and petitions on one's own behalf, the right to enter into enforceable contracts, and the right to consent to and make decisions concerning one's own medical care. New section [§ 14-2-109.3](#) became effective immediately upon the signing of the bill on May 31, 2019.

¹⁶ Before recent reforms, all parties applying for a marriage license were also required to submit social security numbers or, if a person did not have a social security number, another form of identification. They were also required to submit statements specifying whether the parties completed a premarital preparation course and whether they accessed information contained in a handbook on the rights and responsibilities of parties to a marriage. Prior law also conditioned the right to a waiver of a 3-day waiting period between the issuance and effective date of a marriage license on whether the parties had completed a premarital preparation course, among other terms regarding possible waivers of that waiting period. The newly enacted law on minimum marriage age recodified and slightly rephrased this section of the law and these requirements but did not substantively alter them.

¹⁷ Legislative reforms to the minimum marriage age and exceptions in Indiana were introduced as HB 1418 (with an age-17 floor) but passed as [HB 1006](#) (with an age-16 floor). Legislation was signed into law on March 18, 2020, and became effective July 1, 2020. Other conforming and related amendments were also made to Indiana Code in conjunction with these 2020 minimum marriage-age reforms:

- [Ind. Code § 31-34-20-6](#) and [Ind. Code § 31-37-19-27](#) had already set forth two other circumstances under which a juvenile court may emancipate a minor. These were strengthened by appointing the minor an attorney, and by making clear that any such emancipated minor must still obtain judicial approval to marry per [Ind. Code § 31-11-1-4](#).

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- [Ind. Code § 31-9-2-133.1](#) had already defined a “victim of human or sexual trafficking” (for the purposes of providing victim services) to include a child who is recruited, harbored, transported or engaged in “marriage, unless authorized by a court.” This section was amended to cross-reference the newly strengthened process for a minor to obtain judicial approval to marry.

¹⁸ Kansas also recognizes common law marriage, but per [Kan. Stat. Ann. § 23-2502](#), the state does not recognize a common-law marriage if either party was under 18 at the time the marriage was entered into.

¹⁹ This provision emancipates the minor alongside granting the minor permission to marry. The maturity and capacity for self-sufficiency of the minor is vetted as a core element of this judicial approval process; see new Section 402.205 at (1)(e)(1) and (2), above, regarding proof of stable housing/employment and completion of high school education.

²⁰ Amendments made to La. Rev. Stat. Ann. 9:253 and 9:255 also require data to be collected on marriages involving a minor and to include them in an “annual state of marriage report.”

²¹ Recent reforms to Louisiana’s minimum marriage age laws and exceptions at [La. Child. Code §§ 1547](#) and [1548](#) refer only to “the judge.” However, given that the judicial approval requirement sits in the Children’s Code and that, prior to recent reforms, the “juvenile court” was expressly charged with conducting such proceedings, it is assumed that “juvenile court” judges will continue to preside over them.

²² Legislative reforms in Maine raising the age floor to 18 for marriage ([HP 790 / LD 1185](#)) became law without the governor’s signature in May, 2025, with an effective date of September 16, 2025. The public access online version of Maine’s Statutes had not been updated before this compilation’s publication (see <https://legislature.maine.gov/statutes/19-A/title19-Asec652.html>). The current link is to the bill text showing amendments to prior law.

²³ Legislative reforms in Missouri raising the age floor to 18 for marriage ([HB 737](#)) were signed into law on July 9, 2025, with an effective date of August 28, 2025. The public access online version of Missouri’s Statutes had not been updated before this compilation’s publication (see <https://revisor.mo.gov/main/OneSection.aspx?section=451.090&bid=35828&hl=>). The current link is to the bill text showing amendments to prior law.

²⁴ Recent reforms to Nevada’s minimum marriage age laws and exceptions at Section 5.3 of the reform bill ([AB 139](#)) included a requirement that each county clerk compile a report on each marriage license issued from October 1, 2019 forward for any marriage involving a 17-year-old, which must include the ages of the parties.

²⁵ Recent reforms struck prior Section 122.040(5) and (6), amended prior Section 122.040(7) to be a new Section 122.040(5), and renumbered provisions thereafter. Conforming amendments made to other code sections are not included here.

²⁶ Legislative reforms in Oregon raising the age floor to 18 for marriage ([SB 548](#)) were signed into law on May 28, 2025, with an effective date of January 1, 2026. The public access online version of Oregon’s Statutes had not been updated before this compilation’s publication (see https://www.oregonlegislature.gov/bills_laws/ors/ors106.html). The current link is to the bill text showing amendments to prior law.

²⁷ The passage of [HB 360](#), the Pennsylvania bill that carried this reform, was enabled and expedited during the COVID-19 pandemic because an amendment was added to it as Pa. Cons. Stat. Ann. tit. 23, [§1306\(b\)](#) that would waive the requirement that both applicants for a marriage license must appear in person. Instead, if courts are closed to the public due to a declared emergency, applicants are permitted to “forward an affidavit” attesting to all the required information; moreover, as a matter of practice, Pennsylvania courts are encouraging online marriage license applications and conducting interviews by videoconference. See Lancaster County website at <https://www.co.lancaster.pa.us/278/Marriage-Licenses> (accessed August 10, 2020). Such “virtual” applications, while perhaps practical in a pandemic, may make it more likely that forced child marriages will slip by undetected. Visual cues indicating abuse or coercion can be more easily missed, and documentary “proof of age” can be more easily falsified, when parties do not appear in person and original documents cannot be closely examined.

Many other states have also moved to some form of virtual marriage license applications. This raises the most serious concerns in states in which the minimum marriage age is lower than 18 and there is no judicial oversight of marriages involving minors. The disruption of normal support networks like school staff and friends can further ratchet up risks that victims could be isolated from any help for many months; and [escalating abuse related to the current crisis](#) can trap “child brides” for many years, including because of forced pregnancies. Tahirih Justice Center urges all states to limit any virtual application procedures to ensure they are used only when it can be reliably verified that both applicants for a marriage license are *adults age 18 or older*.

²⁸ Documentary proof of age is also required of all applicants between the ages of 18 and 25. See [S.C. Code § 20-1-270](#).

²⁹ Legislative amendments enacted in 2018 also established, at [Tenn. Code Ann. § 36-3-108](#), a new civil cause of action and up to \$250,000 in damages for forced marriages, and clarified that forced marriages are void and unenforceable.

³⁰ Legislative amendments made in 2017 to the minimum marriage age in Texas were accompanied by additional amendments to address concerns about forced marriages of children: “forcing or coercing a child to enter into a marriage” was added to the definition of “child abuse” and thus to the mandate of Child Protective Services to investigate (see [Tex. Fam. Code §261.001\(1\)\(M\)](#)), and also added to the definition of “family violence” on which basis a family violence protective order could be issued (see [Tex. Fam. Code §71.004\(2\)](#)).

³¹ In Texas, the minimum age to petition to emancipate is 16. The 2017 legislative reforms, however, do not expressly prohibit the marriage in Texas of a minor younger than age 16 who was judicially emancipated in another state.

³² Texas' [Family Code Chapter 31](#) governing the process and criteria for a minor to be emancipated pre-dated recent legislative amendments to the state's minimum marriage age, and were not affected by them. In order to be eligible to emancipate, a minor must be 17 years of age, or at least 16 years of age and living separate and apart from the minor's parents or guardian, and must be self-supporting and managing the minor's own financial affairs. The court must appoint an attorney to represent the interests of the minor at the hearing, and must find that emancipation is in the best interest of the minor. Thus, minors in Texas who wish to marry do not petition a court for permission to marry as such. Instead, they petition a court to determine that they meet the criteria for emancipation and therefore can be granted the legal rights of an adult, including (but not limited to) the right to marry.

³³ Under [§2.005](#) of the Texas Family Code, all applicants for a marriage license are required to provide documentary proof of identity and age, and the statute sets forth an extensive list of 19 types of documents that can establish identity and age. Knowingly providing false proof of identity or age is a misdemeanor.

³⁴ Wisconsin aims to prevent residents from going to another jurisdiction to marry in an attempt to circumvent home-state restrictions on marriage. By statute, any such marriage, even if valid in the place it was solemnized, will be considered void in Wisconsin. See [Wis. Stat. Ann. §765.04](#). Other jurisdictions having such provisions specifically related to attempts to evade marriage-age restrictions include Georgia ([Ga. Code Ann. § 19-3-43](#)), Indiana ([Ind. Code § 31-11-8-6](#)), Kentucky ([Ky. Rev. Stat. §402.020](#)), Minnesota ([Minn. Stat. Ann. §517.03 Subd.1\(b\)](#)) and Virginia ([Va. Code § 20-45.1](#)), as well as the U.S. Virgin Islands ([16 V.I.C. § 4](#)).

³⁵ This exception, allowing minors to marry without judicial approval if they have previously been granted the right to contract, is likely to apply only in a small minority of cases. Minors must be at least 16 years old to be granted the right to contract, so this exception does not undermine the state's minimum marriage age being set at 16. See [Wyo. Stat. § 14-1-102](#) for specifics on when a minor may obtain the right to contract and, therefore, to marry.

Minors in Wyoming cannot emancipate until age 17, so the exception allowing emancipated minors to marry similarly does not undermine the minimum marriage age of 16. The emancipation process in Wyoming also requires the minor to go before a judge, making this exception somewhat less vulnerable to exploitation than the "right to contract" exception. See [Wyo. Stat. § 14-1-203](#) for details on the emancipation process in Wyoming.

³⁶ No online version of the complete American Samoa Annotated Code was available at time of publishing. This law was passed as P.L. 35-13 in 2018. See <https://www.osas.as/copy-of-34th>. Tahirih obtained a copy of P.L. 35-13 from the office of the Secretary of American Samoa, which is available upon request.

³⁷ Northern Marianas Islands marriage law differs depending on whether the parties to be wed are citizens of the Trust Territory or not. No minimum marriage age is indicated in statute for marriages between two citizens, and no protections are in place for minors. The marriage must only be “solemnized in accordance with recognized customs.” For a marriage in which either or both parties are noncitizens, there is a minimum marriage age of 16 for girls and 18 for boys.

³⁸ Puerto Rico sets a minimum marriage age of 18, but has a higher age of majority set at age 21. Because the marriage age remains lower than the age of majority, underage marriage is still legal in Puerto Rico. It is important to note, however, that Puerto Rican law on age of majority differs significantly from that of many U.S. states and minors are granted more rights as they approach age 21 including, for example, the ability to manage their own money or to sign contracts. For a more detailed discussion of Puerto Rican Civil Code, see Luis Muñoz-Argüelles, *The 2020 Revision of the Puerto Rican Civil Code: A Brief Explanation of Major Changes*, 15 J. Civ. L. Stud. (2023). Available at: <https://digitalcommons.law.lsu.edu/jcls/vol15/iss1/6>.