



unless the minor has the written consent to marry of either both parents, the tutor of his person, a person who has been awarded custody of the minor, or the juvenile court as provided by law.

Present law provides that a minor under the age of 16 shall also obtain written authorization to marry from the judge of the court exercising juvenile jurisdiction in the parish in which the minor resides or the marriage ceremony is to be performed.

Proposed law prohibits an officiant from performing a marriage ceremony in which a minor 16 or older is a party unless the minor has the written consent to marry of either both parents, the tutor of his person, a person who has been awarded custody of the minor, or the juvenile court as provided by law. Proposed law further prohibits the performance of a marriage ceremony for a minor under the age of 16.

Present law provides for judicial authorization upon application by the minor, for the marriage when there is a compelling reason why the marriage should take place.

Proposed law provides for judicial authorization upon application by a minor of the age of 16 or 17, for the marriage when there is a compelling reason why the marriage should take place. Further provides that no marriage shall be authorized for a minor under the age of 16.

Effective August 1, 2019.

(Amends C.C. Arts. 96, 367, and 2333, R.S. 9:221, Ch. C. Arts. 1545 and 1547; adds C.C. Art. 90.1)

### Summary of Amendments Adopted by Senate

#### Senate Floor Amendments to reengrossed bill

1. Prohibits a minor under the age of sixteen from entering into a contract of marriage and prohibits a minor sixteen or seventeen years of age from entering into a contract of marriage with a person of the age of majority where there is an age difference of four years or greater between them.
2. Provides that when the cause of the nullity is an impediment of age, the marriage produces civil effects in favor of a child of the parties.
3. Mandates that a minor sixteen or seventeen years of age is fully emancipated by marriage.
4. Provides that a minor under the age of sixteen may not enter into a matrimonial agreement. Further provides that a minor sixteen or seventeen years of age may not enter into a matrimonial agreement without the written concurrence of his father and mother, or of the parent having his legal custody, or of the tutor of his person.

5. Prohibits the issuance of a marriage license for a minor under the age of sixteen. Further prohibits the issuance of a marriage license for a minor of the age of sixteen or seventeen where there is an age difference of four years or greater between the persons seeking the marriage license.
6. Prohibits an officiant from performing a marriage ceremony in which a minor sixteen or older is a party unless the minor has the written consent to marry of either both parents, the tutor of his person, a person who has been awarded custody of the minor, and the juvenile court as provided by law.
7. Provides for judicial authorization upon application by a minor of the age of sixteen or seventeen, for the marriage when there is a compelling reason why the marriage should take place, however no marriage shall be authorized for a minor under the age of sixteen.