

## HB 228 MARRIAGE LICENSE CHANGES

EFFECTIVE: JULY 1, 2019

### UNDERAGE APPLICANTS

1. REMOVES PARENTAL CONSENT TO MARRY FOR UNDER AGE 18 APPLICANTS. (THERE REMAINS NO PROVISION IN THE LAW FOR UNDERAGE APPLICANTS FOR REASON OF PREGNANCY.)
2. A 17 YEAR OLD MAY BE ISSUED A MARRIAGE LICENSE IF ALL OF THE FOLLOWING ARE MET:
  - A. A PETITION IS GRANTED IN JUVENILE COURT FOR EMANCIPATION AND A CERTIFIED COPY OF SUCH ORDER IS PRESENTED. (SEE §15-11-720)
  - B. 15 DAYS HAVE PASSED SINCE THE DATE THE ORDER GRANTING EMANCIPATION WAS GRANTED.
  - C. THE OLDER PARTY TO THE MARRIAGE IS NO MORE THAN 4 YEARS OLDER THAN THE YOUNGER PARTY.
  - D. APPLICANTS HAVE COMPLETED PREMARITAL EDUCATION ACCORDING TO §19-3-30.1 (THERE ARE ADDITIONAL COUNSELING REQUIREMENTS FOR THOSE 17 YEARS OLD)
  - E. \$38.00 FEE (CASH OR CHECK) NOTE §15-9-60.1 STILL REQUIRES \$15.00 TO BE COLLECTED FOR CHILDREN'S TRUST FUND ON ALL MARRIAGE LICENSES ISSUED AND §31-10-21(F) REQUIRES \$1.00 RECORDING FEE TO BE COLLECTED ON ALL MARRIAGES TO BE RECORDED.

### PROOF OF AGE

19-3-36 IS AMENDED TO REQUIRE ALL APPLICANTS TO PRESENT DOCUMENTARY EVIDENCE OF PROOF OF AGE. THE PROVISION NOT TO HAVE DOCUMENTARY EVIDENCE IF THE JUDGE KNOWS THE APPLICANT OR IF THE APPLICANT APPEARS TO BE AT LEAST 25 YEARS OF AGE, AND PRESENTS AN AFFIDAVIT OF AGE IS REMOVED.

### SUMMARY

1. EFFECTIVE JULY 1, 2019, NO ONE UNDER THE AGE OF 17 SHALL BE ISSUED A MARRIAGE LICENSE IN THE STATE OF GEORGIA FOR ANY REASON.
2. ALL MARRIAGE LICENSE APPLICANTS MUST PRESENT DOCUMENTED PROOF OF AGE BEFORE A LICENSE CAN BE ISSUED. A LIST OF ACCEPTABLE PROOFS OF AGE ARE LISTED IN §19-3-36



**AFFIDAVIT FOR UNDERAGE MARRIAGE APPLICANT**

**TO: The Probate Judge of \_\_\_\_\_ County, Georgia**

**Date: \_\_\_\_\_**

**We, the applicants of a marriage license hereby state the following:**

1. \_\_\_\_\_ is 17 years of age and has been emancipated.  
(Name of 17 year old applicant)
2. A certified copy of such emancipation is attached to this affidavit. The date of such emancipation is: \_\_\_\_\_, which is more than 15 days prior to today's date.
3. The date of birth of the older applicant is \_\_\_\_\_, which is no more than 4 years older than the younger applicant.
4. Attached is the certification of completion of Premarital education pursuant to O.C.G.A. §19-3-30.1.

\_\_\_\_\_  
**Applicant 1**

\_\_\_\_\_  
**Applicant 2**

**Sworn to and subscribed before me this**  
**the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.**

\_\_\_\_\_  
**Probate Judge or Probate Clerk**

Pursuant to 19-3-2, no one under the age of 17 shall be issued a marriage license in the State of Georgia for any reason.



**CERTIFICATION OF COMPLETION OF  
QUALIFYING PREMARITAL EDUCATION FOR MARRIAGE  
APPLICANTS 17 YEARS OF AGE.**

This will certify that \_\_\_\_\_ and \_\_\_\_\_ have completed a course of premarital education conducted by the undersigned on \_\_\_\_\_ and that such course qualifies under Section 19-3-30.1 of the Official Code of Georgia Annotated in that it included 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) and the couple underwent the course together. In addition for applicants 17 years of age, the premarital education included instruction on the potential risks of marrying young, including, but not limited to, high divorce rates, increased rates of non-completion 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.

I further certify that I am:

- \_\_\_ A professional counselor, social worker, or marriage and family therapist who is licensed pursuant to Chapter 10A of Title 43 of the Official Code of Georgia Annotated;
- \_\_\_ A psychiatrist who is licensed as a physician pursuant to Chapter 34 of Title 43 of the Official Code of Georgia Annotated;
- \_\_\_ A psychologist who is licensed pursuant to Chapter 39 of Title 43 of the Official Code of Georgia Annotated;
- \_\_\_ An active member of the clergy who:
  - \_\_\_ performed such education in the course of my service as clergy; OR
  - \_\_\_ designated \_\_\_\_\_ to perform such education, and I certify that my designee is trained and skilled in premarital education and has certified to me the completion of the course by the couple.

Sworn to and certified before me

on \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, ZIP