
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1038 Session of
2017

INTRODUCED BY WARREN, DAVIS, SOLOMON, MADDEN, STAATS, DALEY,
BRIGGS, DRISCOLL, ROZZI, HILL-EVANS, GILLEN, SCHWEYER, KULIK,
KINSEY AND NEILSON, MARCH 31, 2017

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 31, 2017

AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania
2 Consolidated Statutes, in marriage license, further providing
3 for restrictions on issuance of license.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1304(b) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 1304. Restrictions on issuance of license.

9 (b) Minors.--

10 (1) No marriage license may be issued if either of the
11 applicants for a license is under [16] 18 years of age
12 [unless the court decides that it is to the best interest of
13 the applicant and authorizes the issuance of the license.

14 (2) No marriage license may be issued if either of the
15 applicants is under 18 years of age unless the consent of the
16 custodial parent or guardian of the applicant is personally
17 given before the person issuing the license or is certified
18 under the hand of the custodial parent or guardian attested

1 by two adult witnesses and, in the latter case, the signature
2 of the custodial parent or guardian is acknowledged before an
3 officer authorized by law to take acknowledgments. When the
4 minor has no guardian and a judge of the court is absent or
5 not accessible for any reason, the office issuing the license
6 may appoint a guardian pro hac vice for the minor].

7 * * *

8 Section 2. This act shall take effect in 60 days.