

## 2008 SESSION

INTRODUCED

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### HOUSE BILL NO. 597

Offered January 9, 2008

Prefiled January 8, 2008

*A BILL to amend and reenact § 20-48 of the Code of Virginia and to repeal § 18.2-66 of the Code of Virginia, relating to effect of subsequent marriage to child over 14 years of age.*

Patron—McClellan

Referred to Committee for Courts of Justice

#### **Be it enacted by the General Assembly of Virginia:**

#### **1. That § 20-48 of the Code of Virginia is amended and reenacted as follows:**

§ 20-48. Minimum age of marriage with consent of parents.

The minimum age at which persons may marry, with consent of the parent or guardian, shall be sixteen.

In case of pregnancy when either party is under sixteen, the clerk authorized to issue marriage licenses in the county or city wherein the female resides shall issue a proper marriage license with the consent of the parent or guardian of the person or persons under the age of sixteen only upon presentation of a doctor's certificate showing he has examined the female and that she is pregnant, or has been pregnant within the nine months previous to such examination, which certificate shall be filed by the clerk, and such marriage consummated under such circumstances shall be valid. If any such person under the age of sixteen is a ward of the Commonwealth by virtue of having been adjudicated a delinquent, dependent, or neglected child, instead of the consent of the parent or natural guardian there shall be required the consent of the judge having jurisdiction to control the custody of such person; or, if such person so adjudicated shall have been committed to the Department of Juvenile Justice or to any society, association, or institution approved by it for this purpose, such consent shall be given by some person thereto authorized by the Director of the Department of Juvenile Justice, or by the principal executive officer of such society, association, or institution, as the case may be.

~~Nothing herein contained shall be construed to prevent clerks from issuing a marriage license under circumstances mentioned in § 18.2-66, or to prevent persons under circumstances mentioned therein from marrying.~~

#### **2. That § 18.2-66 of the Code of Virginia is repealed.**

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HB597