



**Representative John M. Rogers**

**60<sup>th</sup> House District**

**Sponsor Testimony on House Bill 511**

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for allowing Rep. Lanese and I the opportunity to offer sponsor testimony for House Bill 511, legislation that would adjust the underage marriage laws in Ohio.

Currently, Ohio Law provides that those who are 18 years of age or older are not prohibited from marrying another, while minors are required to obtain proper consent to marry at the age of 16. Additionally, an exception can be made by a juvenile court for younger, pregnant teens, so long as they have parental consent.

According to the Ohio Department of Health, between the years 2000 and 2015, there were 4,443 girls who were 17 years of age or younger that married in Ohio while just 301 boys under the age of 17 were married both with the approval of a parent or juvenile court. Often times, a minor girl faced with an untimely pregnancy, may choose to marry the father of the child, who may be considerably older.

The large discrepancy between teenage minors getting married begs the question if the age at which teenagers in Ohio can marry, especially young girls, is too liberal. And, does a marriage between minors set the couple up for failure in the future?

The pressures of a marriage between teens in and of itself can be readily evident. A minor couple, where one is pregnant, can create an even more difficult environment for one, the other, or both - especially when choices to be made by teenagers or between couples with a larger age difference may not be mentally prepared for these new found responsibilities or drastic lifestyle changes.

Moreover, young couples are more likely to struggle to make ends meet, frequently require assistance or subsidies or simply support from others to make ends meet - financially or otherwise. Indeed, according to a national study done by the Boston University Law Review, approximately 80% of the marriages involving young teens end in divorce.

Divorce, in many cases, leaves one parent (often the mother) taking care of a child by herself or with the care of parents or grandparents. With new caretaker responsibilities, the ability for young parents, or the custodial parent of a divorce, to seek a higher education in an effort to obtain a employment to provide for themselves and family can be difficult to say the least. Child support becomes a legal matter to be settled and frequently must be enforced in the domestic relations court.

With teenage parenting, there may be less schooling, restricted independence, fewer life experiences, minimum wage employment and a host of so many other issues. Indeed, an underage marriage may very well prove to be more of an obstacle for a young couple as opposed to a benefit.

House Bill 511 would require that both individuals be 18 years old for a marriage license without the consent of a parent, guardian or the juvenile court (pursuant to Juvenile Rule 42 as adopted by the Ohio Supreme Court), in whose jurisdiction the minor female resides.

Under this legislation, consent to marry for a person or couple who is/are “emancipated” at the age of 17 years old must be obtained from the Juvenile Court before a license to marry is issued by a Probate Court. Furthermore, if one person is 17 years old, the other person cannot be more than four years older than the 17 year old.

To be emancipated, a person will have entered the armed services of the United States, become employed and is self-subsisting, or has otherwise become independent from the care and control of a parent or guardian.

When determining whether a 17 year old may be married, this legislation requires the juvenile court to consider consultations with a parent, a guardian, or child-welfare organization having custody of the child, or an attorney appointed by the Court to represent the child’s interests. The bill also changes the age requirement of when marriage counseling is required from the age of 18 to 17. The bill outlines procedurally, considerations when a minor child is pregnant or has had a child born out of wedlock. Finally, House Bill 511 specifies that a court may not issue a license to marry “until such child has been born, or it is found beyond doubt by the juvenile court that the minor female is pregnant and intends to have the child.”

In conclusion, we again thank you for allowing us to testify today. We appreciate your consideration of this matter, we respectfully ask for your support and we would be open to any questions you may have about this legislation.