



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3376

Introduced 2/22/2021, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

750 ILCS 5/203

from Ch. 40, par. 203

750 ILCS 5/208 rep.

Amends the Illinois Marriage and Dissolution of Marriage Act. Requires proof that each party to the marriage has attained the age of 18 years in order to obtain a license to marry and a marriage certificate from the county clerk. Deletes language allowing proof that each party to the marriage will have attained the age of 18 years at the time the marriage license is effective or will have attained the age of 16 years and has either the consent to the marriage of both parents or his guardian or judicial approval. Repeals a provision regarding judicial approval of underage marriages. Effective immediately.

LRB102 16897 LNS 22308 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by changing Section 203 as follows:

6 (750 ILCS 5/203) (from Ch. 40, par. 203)

7 Sec. 203. License to Marry. When a marriage application
8 has been completed and signed by both parties to a prospective
9 marriage and both parties have appeared before the county
10 clerk and the marriage license fee has been paid, the county
11 clerk shall issue a license to marry and a marriage
12 certificate form upon being furnished:

13 (1) satisfactory proof that each party to the marriage
14 ~~has~~ will have attained the age of 18 years ~~at the time the~~
15 ~~marriage license is effective or will have attained the~~
16 ~~age of 16 years and has either the consent to the marriage~~
17 ~~of both parents or his guardian or judicial approval;~~
18 ~~provided, if one parent cannot be located in order to~~
19 ~~obtain such consent and diligent efforts have been made to~~
20 ~~locate that parent by the consenting parent, then the~~
21 ~~consent of one parent plus a signed affidavit by the~~
22 ~~consenting parent which (i) names the absent parent and~~
23 ~~states that he or she cannot be located, and (ii) states~~

1 ~~what diligent efforts have been made to locate the absent~~
2 ~~parent, shall have the effect of both parents' consent for~~
3 ~~purposes of this Section;~~

4 (2) satisfactory proof that the marriage is not
5 prohibited; and

6 (3) an affidavit or record as prescribed in
7 subparagraph (1) of Section 205 or a court order as
8 prescribed in subparagraph (2) of Section 205, if
9 applicable.

10 With each marriage license, the county clerk shall provide
11 a pamphlet describing the causes and effects of fetal alcohol
12 syndrome. At least annually, the county board shall submit to
13 the Illinois Department of Public Health a report as to the
14 county clerk's compliance with the requirement that the county
15 clerk provide a pamphlet with each marriage license. All
16 funding and production costs for the aforementioned
17 educational pamphlets for distribution to each county clerk
18 shall be provided by non-profit, non-sectarian statewide
19 programs that provide education, advocacy, support, and
20 prevention services pertaining to Fetal Alcohol Syndrome.

21 (Source: P.A. 96-1323, eff. 1-1-11.)

22 (750 ILCS 5/208 rep.)

23 Section 10. The Illinois Marriage and Dissolution of
24 Marriage Act is amended by repealing Section 208.

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.