



# OHIO LEGISLATIVE SERVICE COMMISSION

Robert Meeker

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 511 of the 132nd G.A.

**Status:** As Passed by the Senate

**Sponsor:** Reps. Lanese and Rogers

**Local Impact Statement Procedure Required:** No

**Subject:** Revises age at which persons may marry

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### State & Local Fiscal Highlights

- The bill may reduce to some degree the marriage-related cases processed by the probate and juvenile divisions of courts of common pleas. Such an outcome creates a workload savings effect and a loss in related fees. The net annual fiscal effect will be minimal.
- The bill has no direct fiscal effect on the state.

### Detailed Fiscal Analysis

The bill generally provides that only persons age 18 may marry, and provides an exception for 17-year-olds to marry under certain circumstances if they obtain consent from the juvenile court. Under current law, male persons age 18 or older and female persons age 16 or older may marry, with male persons age 17 and under and female persons less than age 16 required to obtain consent from the juvenile court.<sup>1</sup>

According to the Ohio Department of Health, Bureau of Vital Statistics, from calendar year (CY) 2006 through 2015, a total of 1,731 females and 146 males under age 18 were married, an average of 173 and 15 per year, respectively. Marriages in which either one or both individuals were under age 18 represented 0.27% of all marriages in the state. The table below summarizes those marriages by the age of the bride and groom.

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<sup>1</sup> For a person younger than 18 years to be married, consent must be granted by the person's parents or other appropriate guardian or custodian. Under the Ohio Rules of Juvenile Procedure, unchanged by the bill, males and females under the age prescribed by law may be married if the female is a minor and pregnant, or has had a child out of wedlock.

Ohio Marriages by Age of Bride and Groom, CYs 2006-2015					
Groom	Bride				
	Age	18 and Older	Under 18	Unknown	Total
	18 and Older	678,349	1,679	274	<b>680,302</b>
	Under 18	94	52	0	<b>146</b>
	Unknown	180	0	347	<b>527</b>
	Total	<b>678,623</b>	<b>1,731</b>	<b>621</b>	<b>680,975</b>

Source: Ohio Department of Health, Bureau of Vital Statistics (July 2017)

The bill's modifications to existing statutory specifications of the age at which a person may marry will likely decrease somewhat the caseloads of the probate and juvenile divisions of the courts of common pleas by reducing the number of minors filing for a marriage license and consent for marriage, respectively.

There would also be a related loss in fee revenues. Marriage license fees are charged by the probate division of a court of common pleas and retained by the court or county for certain purposes. The fees vary by county, but generally range from a total of \$40 to \$60 across the state. Consent-to-marry fees are charged by the juvenile division of a court of common pleas. The fees also vary by county, and appear to roughly range from \$25 to \$50 across the state.

Given the relatively small current population of minors getting married and the additional restrictions for minors under the bill, the likely effect on the operating expenses of those courts and the related fee revenue will not be significant. This means that the net annual fiscal effect will be minimal.