

SS SCS SBs 767 & 1342 -- MARRIAGE

SPONSOR: Thompson Rehder (Murphy)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Government Efficiency and Downsizing by a vote of 7 to 2.

Currently, a marriage license must not be issued in Missouri for individuals under 16 years of age or issued when one party to the marriage is under 18 years of age and the other party over 21 years of age. Additionally, a marriage license must not be issued if any party to the marriage is under 18 years of age without parental consent.

This bill repeals those provisions and specifies that a marriage license will not be issued in Missouri for any individual under 18 years of age.

Currently, a court may order a party in a divorce proceeding to pay a reasonable amount of court costs and attorney's fees to the other party. This bill requires a court in an action to enforce a temporary order or final judgment in a divorce proceeding to order court costs and fees to be paid to the party seeking enforcement by the party against whom enforcement is sought.

This provision is the same as SB 864 (2024).

This bill modifies the factors a court must consider when awarding custody to parents, including the willingness and ability of parents to cooperate in the rearing of their child; the child's physical, emotional, educational, and other needs; the mental health or substance use history experienced by either parent; the history of domestic and child abuse of any individuals involved; the distance between the residences of the parents; and the reasonable input of the child as to the child's custodian.

This provision is the same as a provision in the perfected SS#2 SB 862 (2024) and SCS SBs 744 & 1026 (2024).

Currently, a court order for the custody of, or visitation with, a child may include a provision that the sheriff or other law enforcement shall enforce the rights of any person to custody or visitation. The bill requires that this provision be included in custody or visitation orders.

PROPONENTS: Supporters say that marrying at a young age presents a challenging path for young women. Statistics reveal that 87% of marriages before the age of 18 end in divorce. Marriage constitutes a lifelong commitment, and it's unjust for parents to

make such a monumental decision on behalf of their children. Considering that the brain isn't fully developed in individuals under 18, allowing them to make marital decisions at such a young age seems inappropriate. Several witnesses shared their harrowing experiences as survivors of forced marriages, highlighting the absence of avenues for assistance when parents coerced them into unwanted marriages. Minors face barriers in seeking refuge in domestic violence shelters without parental consent and are legally unable to enter into contracts until they reach 18 years of age. Additionally, they cannot obtain orders of protection until they come of age. One witness underscored the absence of a Federal marriage age limit, which has facilitated the exploitation of marriage as a means for older men to traffic underage brides into the United States.

Testifying in person for the bill were Senator Thompson Rehder; Missouri Network Against Child Abuse (Formerly Kids First); Matthew Huffman, Missouri Coalition Against Domestic & Sexual Violence; Rebecca Hurst; and Unchained At Last.

OPPONENTS: Opponents of the bill say that their stance isn't rooted in opposition to ending child marriage, but rather in concerns regarding the section addressing parental rights and child custody. Opponents emphasized the importance of equal parenting rights, asserting that equitable parenting time is beneficial for children. The passage of this bill would detrimentally impact our custody laws, potentially undoing over a decade's worth of efforts aimed at modernizing them.

Testifying in person against the bill was The Lead Lobbyists.

OTHERS: Others testifying on the bill say that a rapist could potentially employ marriage as a defense if they were married to the victim at the time of the assault.

Testifying in person on the bill was Raelyn Stecker.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.