

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0181.01 Shelby Ross x4510

SENATE BILL 26-048

SENATE SPONSORSHIP

Hinrichsen and Marchman,

HOUSE SPONSORSHIP

Joseph,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING REMOVING THE EXCEPTION THAT AUTHORIZES A MINOR**
102 **WHO IS SIXTEEN YEARS OLD OR OLDER TO MARRY WITH**
103 **JUDICIAL APPROVAL.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires an individual to be at least 18 years old in order to obtain a marriage license; except that a minor who is 16 or 17 years old may obtain a marriage license with judicial approval. The bill repeals this exception, therefore requiring that an individual be at least 18 years old to obtain a marriage license.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 14-2-106, **amend**
3 (1)(a) introductory portion, (1)(a)(I), and (1)(b) as follows:

4 **14-2-106. License to marry.**

5 (1) (a) When a marriage license application has been completed
6 and signed by both parties to a prospective marriage and at least one party
7 has appeared, or both parties appeared if permitted pursuant to section
8 14-2-106.5, before the county clerk and recorder, and A PARTY has paid
9 the marriage license fee of seven dollars, a fee of twenty dollars to be
10 transmitted by the county clerk and recorder to the state treasurer and
11 credited by the treasurer to the Colorado domestic abuse program fund
12 created in section 39-22-802 (1), and an additional amount established
13 pursuant to section 25-2-121 ~~such amount~~ to be credited to the vital
14 statistics records cash fund, ~~pursuant to section 25-2-121~~, the county clerk
15 shall issue a license to marry and a marriage certificate form upon being
16 furnished:

17 (I) Satisfactory proof that each party to the marriage will have
18 attained the age of eighteen years at the time the marriage license
19 becomes effective; ~~or, if over the age of sixteen years but has not attained~~
20 ~~the age of eighteen years, has judicial approval, as provided in section~~
21 ~~14-2-108~~; and

22 (b) Violation of subsection (1)(a)(I) of this section makes the
23 marriage ~~voidable~~ VOID.

24 **SECTION 2.** In Colorado Revised Statutes, 19-1-111, **repeal**
25 (2)(d) as follows:

26 **19-1-111. Appointment of guardian ad litem.**

1 (2) The court may appoint a guardian ad litem in the following
2 cases:

3 (d) ~~For an underage party seeking a marriage license, as provided~~
4 ~~in section 14-2-108 (2).~~

5 **SECTION 3.** In Colorado Revised Statutes, **repeal** 14-2-108.

6 **SECTION 4. Act subject to petition - effective date -**
7 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
8 the expiration of the ninety-day period after final adjournment of the
9 general assembly (August 12, 2026, if adjournment sine die is on May 13,
10 2026); except that, if a referendum petition is filed pursuant to section 1
11 (3) of article V of the state constitution against this act or an item, section,
12 or part of this act within such period, then the act, item, section, or part
13 will not take effect unless approved by the people at the general election
14 to be held in November 2026 and, in such case, will take effect on the
15 date of the official declaration of the vote thereon by the governor.

16 (2) This act applies to marriage licenses issued on or after the
17 applicable effective date of this act.