

HB 103 -- Redline

Comparison to Original Bill to Enrolled -- Underage Marriage Amendments

Deletions ~~struck~~ · Insertions underlined

~~HB0103S01~~ Enrolled compared Copy with ~~H.B. HB0103~~ [Omitted text] shows text that was in HB0103 but was omitted in HB0103S01 inserted text shows text that was not in HB0103 but was inserted into HB0103S01
DISCLAIMER:

This 103 document Underage is Marriage provided Amendments to GENERAL assist SESSION you STATE in OF your UTAH comparison Chief of Sponsor: ~~the two bills.~~

~~Sometimes this automated comparison will NOT be completely accurate.~~

~~Therefore, you need to read the actual bills.~~

~~This automatically generated document could contain inaccuracies caused by:~~

~~limitations of the compare program;~~

~~bad input data;~~

~~or other causes.~~

~~Underage Marriage Amendments GENERAL SESSION STATE OF UTAH Chief Sponsor:~~

~~Ballard Senate Sponsor: Todd Sponsor: Weiler 3 LONG TITLE General Description:~~

Todd Weiler 3 LONG TITLE General Description:

? moves to the criminal code the existing criminal offense of fraudulently acting as ~~a~~ minor's a minor's parent or guardian for the purpose of providing a false consent for the minor to get married;

~~B-? 1 3~~ ~~HB0103 compared with HB0103S01~~ provides that the statute of limitations for a criminal prosecution for unlawfully marrying a minor, transporting a minor out of state for an illegal marriage, or traveling out of state to marry a minor is 15 years from the day on which a minor to the marriage turns 18 years old;

None ~~Other~~ H.B. Special Clauses:

103 Enrolled Copy Other Special Clauses:

~~76-1-302~~ 76-1-302, as last amended by Laws of Utah 2022, Chapter 185 ~~81-2-304~~ 81-2-304, as last amended by Laws of Utah 2025, Chapter 300 ~~81-2-407~~ 81-2-407, as renumbered and amended by Laws of Utah 2024, Chapter 366 ENACTS:

~~{76-7-103 76-7-105, Utah Code Annotated 1953} {76-7-104, Utah Code Annotated 1953} 76-7-105, Utah Code Annotated 1953 76-7-106 76-7-106, Utah Code Annotated 1953 76-7-107 76-7-107, Utah Code Annotated 1953 76-7-108 76-7-108, Utah Code Annotated 1953 76-7-109 76-7-109, Utah Code Annotated 1953 76-7-110 76-7-110, Utah Code Annotated 1953~~ Be it enacted by the Legislature of the state of Utah:

~~76-1-302. 76-1-302 .~~

~~-- 2 --~~ ~~HB0103 compared with HB0103S01~~ (a) a felony or negligent homicide shall be commenced within four years after it is committed[, except that prosecution for:] ;

~~(2)(2)(a)-(a)~~ [Notwithstanding Subsection (1), prosecution] A prosecution for:

~~(i)- [the 2 offenses]- an~~ Enrolled offense Copy listed H.B. in Subsections 76-3-203.5(1)(c)(i)(A) through (CC) may be commenced at any time if the identity of the person who committed the crime is unknown but DNA evidence is collected that would identify the person at a later date] ;

103 (i) [the offenses] an offense listed in Subsections 76-3-203.5(1)(c)(i)(A) through (CC) may be commenced at any time if the identity of the person who committed the crime is unknown but DNA evidence is collected that would identify the person at a later date[.] ;

(iv) an offense of unlawfully marrying a minor, as described in Section ~~{76-7-103}~~ 76-7-105, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old;

(v) an offense of transporting a minor out of state for an illegal marriage, as described in Section ~~{76-7-106}~~ 76-7-109, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old;

and (vi) an offense of traveling out of state to marry a minor, as described in Section ~~{76-7-107}~~ 76-7-110, shall be commenced within 15 years after the day on which a minor to the marriage turns 18 years old.

~~-- 3 --~~ ~~HB0103 compared with HB0103S01~~ (3) If the statute of limitations would have run but for the provisions of Subsection [(2)] (2)(a)(i) and identification of a perpetrator is made through DNA, a prosecution shall be commenced within four years of confirmation of the identity of the perpetrator.

Section ~~276-7-105~~ is enacted to read:

~~76-7-103. 76-7-105 .~~

~~(1)(1)(a)-(a)~~ As used in this section, "minor" means an individual who is younger than 18 years old.

~~(2)- An 3 actor- commits~~ H.B. unlawfully marrying a minor if:

103 Enrolled Copy (2) An actor commits unlawfully marrying a minor if:

Section ~~376-7-106~~ is enacted to read:

~~76-7-104, 76-7-106 .~~

~~(1)(1)(a)-(a)~~ As used in this section, "minor" means the same as that term is defined in Section 76-7-103.

~~Section 2.~~

~~Section 2 is enacted to read:~~

~~76-7-105.~~

~~Unlawfully {solemnizing a marriage of } marrying a minor.~~

~~(1) — 4 — HB0103 compared with HB0103S01 (a) As used in this section, "minor" means {the same as that term } an individual who is {defined in Section 76-7-103} younger than 18 years old.~~

~~(b) Terms defined in Section 76-1-101.5 apply to this section.~~

~~(2) An actor commits unlawfully {solemnizing a marriage of } marrying a minor if:~~

~~{{(a)} (a) the actor is 18 years old or older;~~

~~(i){(b)} the actor {knowingly, with or without a license, solemnizes the marriage of } marries a minor; and (ii){(c)} the marriage described in Subsection {(2)(a)(i) } (2)(b) does not meet the requirements described in Section 81-2-304 for the {minor } actor to enter into the marriage{;~~
~~or} with the minor.~~

~~{(b) {without a written authorization from a juvenile court, the actor solemnizes a marriage to which a party is a minor.} } (3) A violation of Subsection (2) is a third degree felony.~~

~~Section 3.~~

~~Section 3 is enacted to read:~~

~~76-7-106.~~

~~{Fraudulently acting as a parent } Parent or guardian {for a minor's } unlawfully consenting or allowing an illegal marriage.~~

~~(1) (a) As used in this section, "minor" means the same as that term is defined in Section 76-7-103.~~

~~(b) Terms defined in Section 76-1-101.5 apply to this section.~~

~~(2) An actor commits {fraudulently acting as a } parent or guardian {for a minor's } unlawfully consenting or allowing an illegal marriage if {the actor knowingly} :~~

~~(a) {impersonates } the actor is a parent or legal guardian of a minor {to obtain a license for the minor to marry under Section 81-2-304} ;~~

~~{or} and (b) {forges the name of a parent } the actor knowingly consents or {legal guardian of a minor on any writing purporting to give consent } allows the minor described in Subsection (2)(a) to enter into a marriage {of a minor under } that does not meet the requirements described in Section 81-2-304.~~

~~(3) A violation of Subsection (2) is a third degree felony.~~

Section 476-7-107 is enacted to read:

~~76-7-107, 76-7-107 .~~

~~{Transporting } Unlawfully solemnizing a marriage of a minor~~minor~~. {out of state for an illegal marriage}.~~

~~(1)(1)(a) — 5 — HB0103 compared with HB0103S01 (a) As used in this section, "minor" means the same as that term is defined in Section 76-7-103.~~

~~(2) An actor commits {transporting } unlawfully solemnizing a marriage of a minor {out of state for an illegal marriage } if:~~

~~(a){(a)(i) (a){(i)} the actor knowinglyknowingly, {transports}, with or {causes another person to transport, a minor who is } without a {resident of } license, solemnizes the {state out } marriage of {the state for the purpose of the minor being married to any individual} a minor; and minor. {(b) {the marriage described in Subsection (2)(a) is invalid in this state under Subsection 81-2-407(3); and} and } (ii) (c){(ii)} {after } the marriage described in Subsection {(2)(a), } (2)(a)(i) does not meet the {actor transports, or causes another person to transport, } requirements described in Section 81-2-304 for the minor {back } to enter into the {state, } marriage;~~

Section 576-7-108 is enacted to read:

~~76-7-108, 76-7-108 .~~

~~{Traveling out of state to marry a minor} Fraudulently acting as a parent or guardian for a minor's marriage.~~

~~(1)-(a)4 As Enrolled in Copy this H.B. section, "minor" means the same as that term is defined in Section 76-7-103.~~

103 (1)(a) As used in this section, "minor" means the same as that term is defined in Section 76-7-103.

(2) An actor commits ~~{traveling out of state to marry a minor if}~~ fraudulently acting as a parent or

guardian for a minor's marriage if the actor knowingly:

~~{{(a)}(a) {the actor is 18 years old or older;}} (b){(a)} {the actor is } impersonates a {resident } parent or legal guardian of {the state and knowingly travels out of the state } a minor to obtain a license for the {purpose} minor of marrying a } minor{;}}~~ to marry under Section 81-2-304; or ~~{{(c)}(b) {the forges actor the marries name of a minor;}} parent } or {{(d)} legal {the guardian marriage of described a in minor Subsection on (2)(c) any is writing invalid purporting into this give state consent to a marriage of a minor under Subsection Section 81-2-407(3); 81-2-304.~~

~~and}} } - 6 - HB0103 compared with HB0103S01 {{(e) {after the marriage described in Subsection (2)(c), the actor transports, or causes another person to transport, the minor into the state.}} (b) forges the name of a parent or legal guardian of a minor on any writing purporting to give consent to a marriage of a minor under Section 81-2-304.~~

Section ~~6~~76-7-109 is enacted to read:

~~76-7-109, 76-7-109 .~~

~~(1)(1)(a)-(a)~~ As used in this section, "minor" means the same as that term is defined in Section 76-7-103.

Section ~~7~~76-7-110 is enacted to read:

~~76-7-110, 76-7-110 .~~

~~(1)(1)(a)-(a)~~ As used in this section, "minor" means the same as that term is defined in Section 76-7-103.

~~(d)- the 5 marriage- described H.B.- in Subsection (2)(c) is invalid in this state under Subsection 81-2-407(3);~~

103 Enrolled Copy (d) the marriage described in Subsection (2)(c) is invalid in this state under Subsection 81-2-407(3);

~~- 7 - HB0103 compared with HB0103S01 Section 8.~~

~~81-2-304, 81-2-304 .~~

~~(1)(1)(a)-(a)~~ If an applicant is a minor at the time of applying for a license, a county clerk may not issue a marriage license without the signed consent of the minor's parent or legal guardian given in person to the clerk, except that:

~~(c)- a 6 certified- adoption Enrolled decree Copy with H.B.- the name of the minor and the parent;~~
103 (C) a certified adoption decree with the name of the minor and the parent;

~~- 8 - HB0103 compared with HB0103S01 (A) an expired or current passport;~~

~~(2)(2)(a)-(a)~~ The minor and the parent or legal guardian of the minor shall obtain a written authorization to marry from:

~~(d)- The 7 judge- or H.B.- court commissioner may require:~~

103 Enrolled Copy (d) The judge or court commissioner may require:

and ~~- 9 - HB0103 compared with HB0103S01 (ii) any other conditions that the court deems reasonable under the circumstances.~~

~~(3)(3)(a)-(a)~~ The determination required in Subsection (2) shall be made on the record.

~~{{(4)}(4)(a) (a) A parent or legal guardian who knowingly consents or allows a minor to enter into a marriage prohibited by law is guilty of a third degree felony.} [(b) An individual is guilty of a third degree felony if the individual:] [(i) knowingly, with or without a license, solemnizes the marriage of an individual who is younger than 18 years old and the marriage is prohibited by law;} [(ii) without a written authorization from the juvenile court, solemnizes a marriage to which a party is a minor;} [(iii) impersonates a parent or legal guardian of a minor to obtain a license for the minor to marry;~~

~~81-2-407, 81-2-407 .~~

~~[(1)] (a) the marriage would be prohibited and declared void in this state under Subsection 81-2-403(1) 81-2-403(1)(a);-(a);~~

~~- 10 - HB0103 compared with HB0103S01 (3) Notwithstanding Subsection (2), a marriage solemnized in any other country, state, or territory, in 8 which- at Enrolled least Copy one H.B.- of the parties of the marriage was a minor at the time of the marriage solemnization, is invalid in this state unless:~~

103 territory, in which at least one of the parties of the marriage was a minor at the time of the marriage solemnization, is invalid in this state unless:

~~Effective date.~~

~~1-26-26 4:18 PM- 119 -~~