

APPROVED AND SIGNED BY THE GOVERNOR

Date 3-29-82

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1982

**ENROLLED**

SENATE BILL NO. 222

(By Mr. Palumbo)

PASSED March 9 1982

In Effect ninety days from Passage



**ENROLLED**  
**Senate Bill No. 222**  
**(By MR. PALUMBO)**

[Passed March 9, 1982; in effect ninety days from passage.]

AN ACT to repeal sections one and eight, article one, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended; and to enact in lieu thereof a new section one, article one, chapter forty-eight, all relating to the age of consent to marry for males and females, procedure for giving consent by parent or legal guardian, and allowing a judge of the circuit court of the circuit in which the application is made for a marriage license to order issuance in certain cases.

*Be it enacted by the Legislature of West Virginia:*

That sections one and eight, article one, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be repealed; and that a new section one, article one, chapter forty-eight be enacted in lieu thereof, all to read as follows:

**ARTICLE 1. MARRIAGE.**

**§48-1-1. Age of consent for marriage; exception; voidable marriage.**

1     The age of consent for marriage for both the male and  
2     the female shall be eighteen years of age. Any person  
3     under the age of eighteen must obtain the consent of the  
4     parent or legal guardian in whose custody that person is  
5     at the time of application for a marriage license. That  
6     consent shall be given to the clerk of the county commis-  
7     sion by a writing duly acknowledged before an officer au-  
8     thorized to acknowledge a deed. No person under the age

9 of sixteen may be issued a license except upon order of  
10 the circuit judge and with the consent of the parent  
11 or guardian: *Provided*, That a circuit judge of the circuit  
12 in which the application for a marriage license is filed  
13 may order the clerk to issue a license to any person  
14 under the age of sixteen if, in his discretion, the issuance  
15 of a license is in the best interest of the applicant and  
16 consent of the parent or guardian has been given in the  
17 manner required by this section.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*R. P. Baylon*  
Chairman Senate Committee

*Fong E. Whitlow*  
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

*Isaac C. Willis*  
Clerk of the Senate

*W. Blankenship*  
Clerk of the House of Delegates

*Warren R. McGraw*  
President of the Senate

*Wm. H. Lee, Jr.*  
Speaker House of Delegates

The within *is approved* this the *29*

day of *March*, 1982.

*John A. Rhyne*  
Governor



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SECY. OF STATE