

No. 1993-79

AN ACT

HB 1432

Amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for application for license and for restrictions on the issuance of a marriage license.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 1302 and 1304(b) of Title 23 of the Pennsylvania Consolidated Statutes are amended to read:

§ 1302. Application for license.

(a) General rule.—No marriage license shall be issued except upon written and verified application made by both of the parties intending to marry.

(b) Contents.—The application shall contain the following:

(1) The full name of the applicants.

(2) The [race,] occupation, birthplace, residence and age of the applicants.

(3) Whether the marriage contemplated is the first, second or other marriage of an applicant.

(4) A statement that neither of the applicants is afflicted with transmissible disease.

(5) The full name, residence, [race,] occupation and birthplace of the parents of each applicant, including the maiden name of the mother of each applicant.

(6) Any other facts necessary to determine whether a legal impediment to the proposed marriage exists.

§ 1304. Restrictions on issuance of license.

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(b) Minors.—

(1) No marriage license may be issued if either of the applicants for a license is under 16 years of age unless the court decides that it is to the best interest of the applicant and authorizes the issuance of the license.

(2) No marriage license may be issued if either of the applicants is under 18 years of age unless the consent of [a] *the custodial* parent or guardian of the applicant is personally given before the person issuing the license or is certified under the hand of [a] *the custodial* parent or guardian attested by two adult witnesses and, in the latter case, the signature of the *custodial* parent or guardian is acknowledged before an officer authorized by law to take acknowledgments. When the minor has

no guardian and a judge of the court is absent or not accessible for any reason, the office issuing the license may appoint a guardian pro hac vice for the minor.

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Section 2. This act shall take effect in 60 days.

APPROVED—The 22nd day of December, A.D. 1993.

ROBERT P. CASEY