

115TH CONGRESS
2D SESSION

H. R. 4867

To clarify the definitions of certain terms relating to marriage under Federal law to prevent child marriages, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2018

Mr. RUSH introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To clarify the definitions of certain terms relating to marriage under Federal law to prevent child marriages, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Marriage Pre-
5 vention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) A February 2017 study by Unchained At
9 Last found that, between 2000 and 2010, 248,000

1 children had been married in the United States,
2 mostly to adult men.

3 (2) The United States Global Strategy to Em-
4 power Adolescent Girls, released last year by the
5 State Department recognizes marriage before 18 to
6 be a “human rights abuse”.

7 (3) Child marriages in the United States have
8 included parties as young as 10.

9 (4) Marriages in the United States have given
10 a semblance of legitimacy to relationships that would
11 otherwise be illegal.

12 (5) Women who marry at 18 or younger face a
13 23 percent higher risk of heart attack, diabetes, can-
14 cer and stroke than do women who marry between
15 ages 19 and 25.

16 (6) Women who wed before 18 also are at in-
17 creased risk of developing various psychiatric dis-
18 orders.

19 (7) American girls who marry before 19 are 50
20 percent more likely than their unmarried peers to
21 drop out of high school and four times less likely to
22 graduate from college.

23 (8) A girl who marries young is 31 percentage
24 points more likely to live in poverty when she is
25 older.

1 (9) Women who marry before 18 are three
2 times more likely to be beaten by their spouses than
3 women who wed at 21 or older.

4 **SEC. 3. POWERS RESERVED TO THE STATES.**

5 No State shall be required to give effect to any public
6 act, record, or judicial proceeding of any other State re-
7 specting a relationship where one or both persons are
8 below the marriageable age that is treated as a marriage
9 under the laws of such other State, or a right or claim
10 arising from such relationship.

11 **SEC. 4. DEFINITION OF MARRIAGE.**

12 In determining the meaning of any Act of Congress,
13 or of any ruling, regulation, or interpretation of the var-
14 ious administrative bureaus and agencies of the United
15 States, the word “marriage” means only a legal union be-
16 tween two people of marriageable age, and the word
17 “spouse” refers only to a person of marriageable age.

18 **SEC. 5. EXCEPTIONS.**

19 (a) SECTION 3.—Section 3 shall be inapplicable to
20 any marriage where the parties involved have received the
21 approval of a judge appointed or elected pursuant to the
22 laws of any State or the United States.

23 (b) SECTION 4.—Section 4 shall be inapplicable to
24 any marriage where the parties involved have received the

1 approval of a judge appointed or elected pursuant to the
2 laws of any State or the United States.

3 (c) INDEPENDENT COUNSEL.—Subsections (a) and
4 (b) shall only apply in cases where the minor in question
5 was represented by independent counsel.

6 **SEC. 6. DEFINITIONS.**

7 In this Act:

8 (1) STATE.—The term “State” means each of
9 the several States, the District of Columbia, the
10 Commonwealth of Puerto Rico, Guam, American
11 Samoa, the United States Virgin Islands, the Com-
12 monwealth of the Northern Mariana Islands, any
13 other territory or possession of the United States,
14 and each federally recognized Indian Tribe.

15 (2) MARRIAGEABLE AGE.—The term “mar-
16 riageable age” means the age of 18 or the age as
17 defined by a State, whichever is older.

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