



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: S. 0591 Introduced on February 23, 2021
Author: Hutto
Subject: Minimum Age a Person May Enter into Marriage
Requestor: Senate Judiciary
RFA Analyst(s): Gardner
Impact Date: April 9, 2021

Fiscal Impact Summary

The Judicial Department reports that the implementation of this bill will have no expenditure impact to the General Fund, Other Funds, or Federal Funds.

Explanation of Fiscal Impact

Introduced on February 23, 2021

State Expenditure

This bill changes the minimum age that a person may enter into a valid marriage from sixteen years of age to eighteen years of age and provides that marriages—including common law marriages—entered into by persons under the allowable age are void ab initio. The bill also repeals Section 20-1-250, which allows an applicant between the ages of sixteen and eighteen whose parent, other relative, or guardian agrees to provide a sworn affidavit consenting to the marriage to be granted a marriage license. Additionally, the bill repeals Section 20-1-260, which requires an applicant under the age of eighteen years to provide evidence of a birth, hospital, or baptismal certificate or an affidavit from his parents, legal guardian, or person with whom he resides in order to be granted a marriage license.

Judicial Department.

This bill, which increases the minimum age at which a person can obtain a valid marriage license, would impact the probate courts. As these courts are funded by the counties, there will be no expenditure impact for the department.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A

Frank A. Rainwater, Executive Director