

Original sponsors: Ziegler,
Croft and Bradley

Offered: 1/31/75
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 28 am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the capacity of persons to consent
7 to marriage; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 25.05.171 is repealed and re-enacted to read:

10 Sec. 25.05.171. PERSONS CAPABLE OF CONSENTING TO MARRIAGE:

11 MINIMUM AGES, AND CONSENT OF PARENTS OR GUARDIAN. (a) An unmarried
12 person of at least the age of 18 years, and not otherwise disqualified,
13 may be issued a marriage license.

14 (b) a person under the age of 18 years may be issued a marriage
15 license if the written consent of the parents of each person who is
16 underage, or of the parent having actual care, custody and control, or
17 of his or her guardian is filed with the licensing officer issuing the
18 marriage license as provided in sec. 111 of this chapter.

19 (c) If a person under the age of 18 years is unable to obtain
20 parental consent, the superior court may grant permission to the
21 underage person to marry and order the licensing officer to issue a
22 license where there is evidence of actual or potential physical trauma.

23 * Sec. 2. AS 25.05.191 is amended to read:

24 Sec. 25.05.191. MARRIAGE LICENSE DOCKET. Each licensing officer
25 shall keep in his office, in a book to be provided to him by the
26 bureau, a marriage license docket, and shall enter a complete record
27 of the applications for and the issuance of all marriage licenses and
28 of all other information he is required by law to obtain. Marriage
29 commissioners shall keep the marriage license docket in duplicate.

1 The marriage license docket shall be open for public inspection or
2 examination during office hours. [DOCKET SHEETS AND RELATED FORMS
3 PERTAINING TO APPLICATIONS OF LICENSES ISSUED UNDER SEC. 171(b) OF
4 THIS CHAPTER SHALL BE REMOVED FROM THE DOCKET AND SHALL NOT BE OPEN TO
5 PUBLIC INSPECTION.]

6 * Sec. 3. AS 25.05.351 is amended to read:

7 Sec. 25.05.351. VIOLATION CONCERNING MARRIAGE LICENSE DOCKET. A
8 licensing officer who refuses or neglects to enter upon the marriage
9 license docket before the license has been issued a complete record of
10 each application and of each marriage license issued from his office,
11 or who fails to keep the marriage license docket open for inspection
12 or examination by the public during office hours [, OR WHO PERMITS THE
13 INSPECTION OF DOCKET SHEETS WHICH ARE SPECIFICALLY EXCLUDED FROM
14 PUBLIC INSPECTION AND EXAMINATION BY SECS. 171(b) AND 191 OF THIS
15 CHAPTER] is guilty of a misdemeanor, and upon conviction is punishable
16 by a fine of not more than \$50. Each failure, neglect, or refusal
17 constitutes a separate offense.

18 * Sec. 4. AS 25.05.011(a)(1) is amended to read:

19 (1) a person who is 18 [19] years of age or older, who is
20 otherwise capable, or

21 * Sec. 5. This Act takes effect immediately in accordance with AS 01.10.-
22 070(c).