

FAILED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 805

AMENDMENT NO. A5
(to be filled in by
Principal Clerk)

H805-ACE-80 [v.5]

Page 1 of 2

Amends Title [YES]
Third Edition

Date _____, 2025

Senator Murdock

1 moves to amend the bill on page 1, line 9, by inserting the following at the end of the line and
2 before the period:

3 "AND TO RAISE THE AGE TO MARRY TO 18 YEARS OF AGE";

4
5 and on page 8, lines 3-4, by inserting the following between the lines:

6 "SECTION 4.2.(a) G.S. 51-2 reads as rewritten:

7 "§ 51-2. Lawful age to marry.

8 (a) All unmarried persons of 18 years, or older, or otherwise emancipated may lawfully
9 marry.

10 (a1) ~~Persons over 16 years of age and under 18 years of age may marry a person no more~~
11 ~~than four years older, and the register of deeds may issue a license for the marriage, only after~~
12 ~~there has been filed with the register of deeds a certified copy of an order issued by a district~~
13 ~~court authorizing the marriage as provided in G.S. 51-2.1, or a written consent to the marriage,~~
14 ~~said consent having been signed by the appropriate person as follows:~~

15 (1) ~~By a parent having full or joint legal custody of the underage party; or~~

16 (2) ~~By a person, agency, or institution having legal custody or serving as a~~
17 ~~guardian of the underage party.~~

18 ~~Such written consent shall not be required for an emancipated minor if a certificate of~~
19 ~~emancipation issued pursuant to Article 35 of Chapter 7B of the General Statutes or a certified~~
20 ~~copy of a final decree or certificate of emancipation from this or any other jurisdiction is filed~~
21 ~~with the register of deeds.~~

22 (b) Repealed by Session Laws 2021-119, s. 1, effective August 26, 2021, and applicable
23 to marriage licenses pending or issued on or after that date.

24 (b1) It shall be unlawful for any person under ~~16~~18 years of age or who is not emancipated
25 to marry.

26 (c) When a license to marry is procured by any person under 18 years of age by fraud or
27 misrepresentation, a parent of the underage party, a person, agency, or institution having legal
28 custody or serving as a guardian of the underage party, or a guardian ad litem appointed to
29 represent the underage party pursuant to G.S. 51-2.1(b) is a proper party to bring an action to
30 annul the marriage."

31 SECTION 4.2.(b) G.S. 51-2.1 is repealed.

32 SECTION 4.2.(c) G.S. 51-3 reads as rewritten:



* H 8 0 5 - A C E - 8 0 - V - 5 *

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1 **"§ 51-3. Want of capacity; void and voidable marriages.**
2 All marriages between any two persons nearer of kin than first cousins, or between double
3 first cousins, or between a male person under ~~16-18~~ years of age who is not emancipated and any
4 female, or between a female person under ~~16-18~~ years of age who is not emancipated and any
5 male, or between persons either of whom has a husband or wife living at the time of such
6 marriage, or between persons either of whom is at the time physically impotent, or between
7 persons either of whom is at the time incapable of contracting from want of will or understanding,
8 shall be void. No marriage followed by cohabitation and the birth of issue shall be declared void
9 after the death of either of the parties for any of the causes stated in this section except for bigamy.
10 A marriage contracted under a representation and belief that the female partner to the marriage
11 is pregnant, followed by the separation of the parties within 45 days of the marriage which
12 separation has been continuous for a period of one year, shall be voidable unless a child shall
13 have been born to the parties within 10 lunar months of the date of separation."

14 **SECTION 4.2.(d)** G.S. 115C-81.30(a) reads as rewritten:
15 **"§ 115C-81.30. Reproductive health and safety education provided by local school**
16 **administrative units.**

17 (a) Each local school administrative unit shall provide a reproductive health and safety
18 education program commencing in the seventh grade. Materials used in this instruction shall be
19 age-appropriate for use with students. Law enforcement agencies, criminal justice agencies, and
20 nongovernmental organizations with experience in sex-trafficking prevention and awareness may
21 provide materials and information. Information conveyed during the instruction shall be
22 objective and based upon scientific research that is peer reviewed and accepted by professionals
23 and credentialed experts in any of the following fields: sexual health education, adolescent
24 psychology, behavioral counseling, medicine, human anatomy, biology, ethics, or health
25 education. Reproductive health and safety instruction provided by the local school administrative
26 units shall do the following:

27 ...
28 "(14) Teach the legal requirements for marriage, including the requirement that an
29 individual be at least 18 years of age or emancipated in order to marry."

30 **SECTION 4.2.(e)** This section is effective when it becomes law. Subsection (d) of
31 this section applies beginning with the 2025-2026 school year."

SIGNED _____
Amendment Sponsor

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and vote information, is available in the
Senate Principal Clerk's Office**