

Date: 12/3/2025 | Policy Analyst: Lacey Johnson | Prepared For: Rep. Ballard

## Underage Marriage Amendments

*Underage Marriage Amendments* **creates three offenses:** Unlawfully marrying a minor, Transporting a minor out of state for an illegal marriage, and Traveling out of state to marry a minor. Prosecutions for these offenses must commence within 15 years after the day the minor turns eighteen.

*Underage Marriage Amendments* also **moves three current offenses to Utah’s criminal code.** These are Fraudulently acting as a parent or guardian for a minor’s marriage, Unlawfully solemnizing a marriage of a minor, and Parent or guardian to unlawfully consent to allow a minor to enter a marriage. (See Table 1)

<b>Table 1: Underage Marriage Amendments new offenses and offenses moved to Utah’s Criminal Code</b>	
<b>Offense</b>	<b>Penalty</b>
<p><b>Unlawfully marrying a minor (<i>New Offense</i>)</b></p> <ul style="list-style-type: none"> <li>The actor is at least 18,</li> <li>marries a minor, and</li> <li>does not meet marriage standards in <a href="#">81-2-304</a>.</li> </ul>	Third degree felony
<p><b>Transporting a minor out of state for an illegal marriage (<i>New Offense</i>)</b></p> <ul style="list-style-type: none"> <li>The actor knowingly transports or causes another to transport a minor Utah resident out of Utah to be married,</li> <li>the marriage is invalid under 81-2-407(3), and</li> <li>transports or causes the minor to be transported back to Utah after the marriage.</li> </ul>	Third degree felony
<p><b>Traveling out of state to marry a minor (<i>New Offense</i>)</b></p> <ul style="list-style-type: none"> <li>The actor is at least 18,</li> <li>a Utah resident,</li> <li>knowingly travels out of Utah to marry a minor,</li> <li>marries the minor,</li> <li>the marriage is invalid under 81-2-407(3), and</li> <li>transports or causes the minor to be transported back to Utah after the marriage.</li> </ul>	Third degree felony
<p><b>Fraudulently acting as a parent or guardian for a minor’s marriage</b></p> <ul style="list-style-type: none"> <li>An actor impersonates a minor’s parent or legal guardian to obtain a marriage license, or</li> <li>forges the parent or legal guardian’s name to consent to the marriage.</li> </ul>	Third degree felony
<p><b>Unlawfully solemnizing a marriage of a minor</b></p> <ul style="list-style-type: none"> <li>An actor knowingly solemnizes the marriage of a minor that does not meet requirements in <a href="#">81-2-304</a>, or</li> <li>solemnizes a marriage without juvenile court authorization.</li> </ul>	Third degree felony
<p><b>Parent or guardian to unlawfully consenting or allowing an illegal marriage</b></p> <ul style="list-style-type: none"> <li>An actor is a parent or legal guardian, and</li> <li>allows the minor to marry when it does not meet <a href="#">81-2-304</a>.</li> </ul>	Third degree felony

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### **81-2-304, Marriage of a minor**

A county clerk may not issue a marriage license for an applicant who is a minor without signed consent of the minor's parent or legal guardian. Documentation must show:

- The legal relationship between the minor and parent or legal guardian,
- legal name and identity of the minor, and
- birth date of each applicant.

The minor, parent, or legal guardian must obtain written authorization from a judge, or a court commissioner. A judge or court commissioner must determine the minor is **voluntarily** entering the marriage and the marriage is in the minor's best interests. A judge or court commissioner may not issue authorization to marry if there is more than a four-year age gap between parties.

### **81-2-407(3), Validity of a foreign marriage**

As amended in *Underage Marriage Amendments*, 81-2-407(3) states that a marriage solemnized in another state, country, or territory where one party is a minor is invalid in Utah unless:

- The minor was 16 or 17 years old at the time of marriage,
- the age difference between parties is no more than four years,
- the minor obtained consent from a parent or legal guardian,
- the minor **voluntarily** entered the marriage, and
- a court provided written authorization.

## Human Trafficking and Underage or Forced Marriage

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In 2021 forced marriage accounted for 22 million people worldwide living in modern day slavery. While forced marriage is more common in other regions of the world, in the Americas forced marriage happens at a rate of about 1.5 per thousand people. More than two-thirds of individuals worldwide who are forced into marriage are female (about 14.9 million women and girls), and the number of men and boys in forced marriages is roughly 32%.<sup>1</sup> **Victims forced into marriage may be sexually exploited, forced to bear children, labor exploited, forced into criminality, or forced to marry non-citizens who want to regularize their stay or status in certain areas of the world.**<sup>2</sup> **In 2022, a report on the Global Estimates of Modern Slavery found that nearly two out of five victims forced into marriage were children.**<sup>3</sup> (See Graph 1)

## Trafficking in Utah and the United States

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### **Utah Data**

Since 2022, the Utah Attorney General's Office (AGs) reported between seven to 12 prosecution cases annually that involved child victims of human trafficking.<sup>4, 5, 6</sup> The National Human Trafficking Hotline (NHTH) also reported that in Utah the number of minor-aged hotline victims and survivors ranged from 11 to 23 each year from 2020 to 2024.<sup>7</sup> (See Graph 2 and 3) While there are instances in Utah where children are forced to marry, there is no data showing exactly how many Utah children are being trafficked through forced marriages.

- One local example is in 2023 where an actor was indicted because they traveled between Utah, Colorado, Arizona, and Nebraska to obtain underage wives. Many of the underage victims were sexually abused because of their forced marriage.<sup>8</sup>

### **National Data**

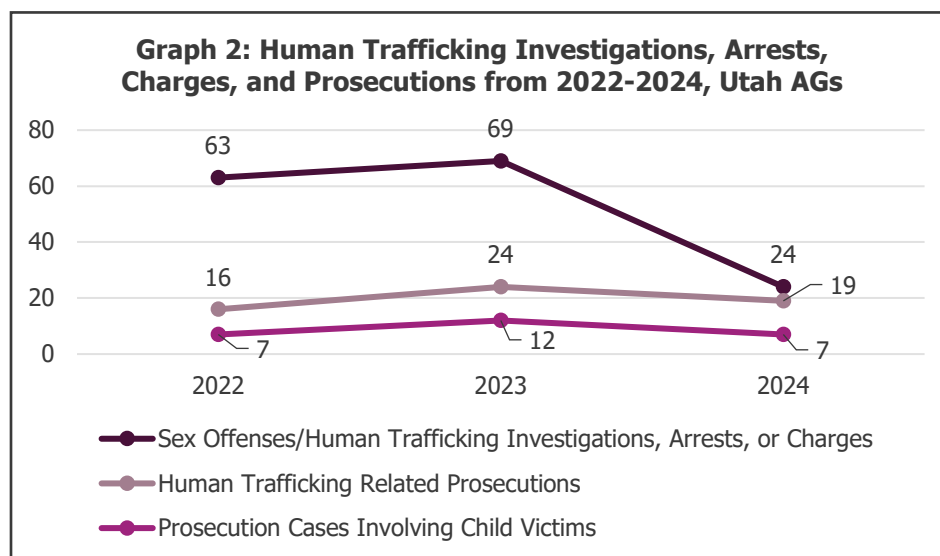
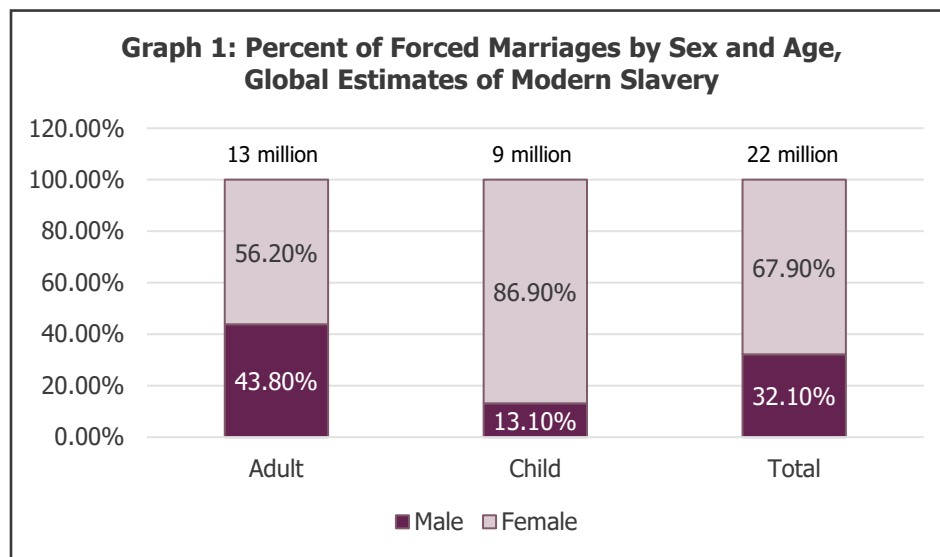
In 2024, the National Center for Missing and Exploited Children (NCMEC) reported 26,823 reports of possible

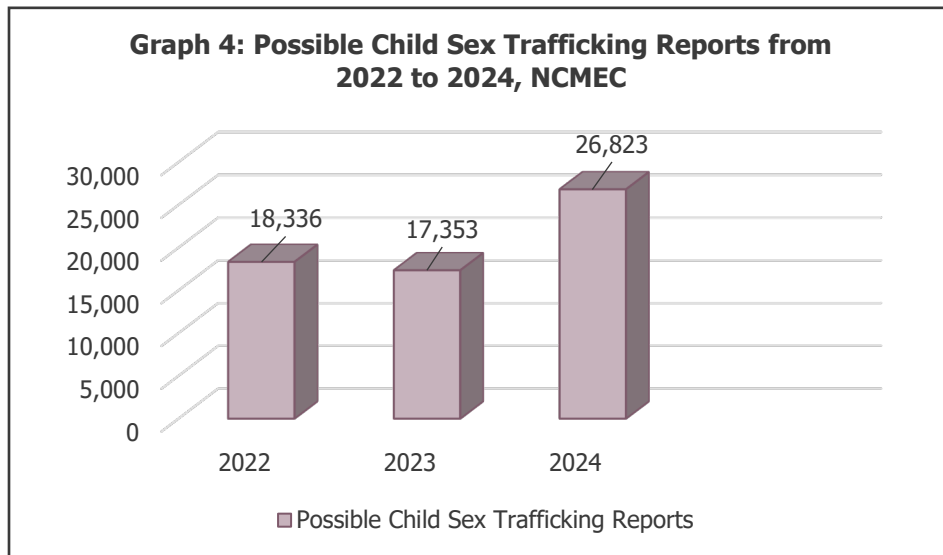
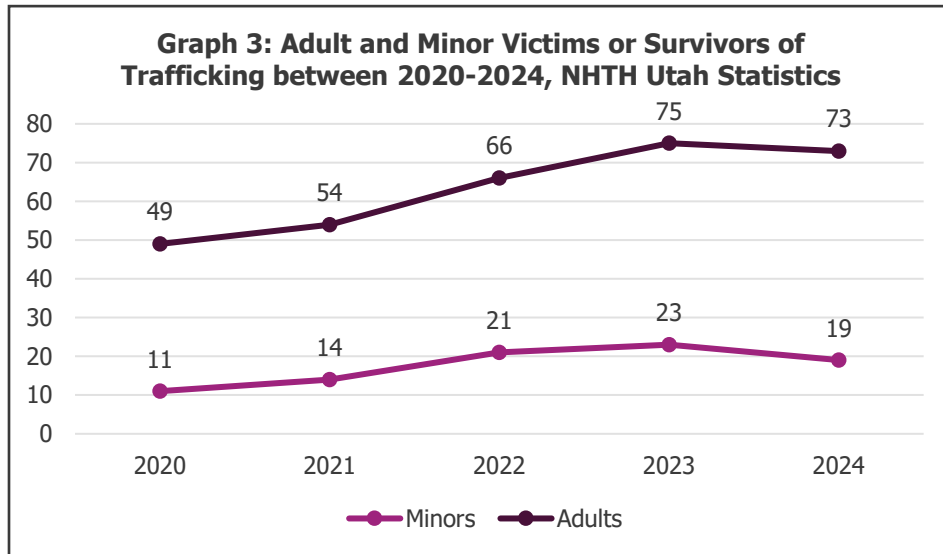
child sex trafficking.<sup>9</sup> This is a 54.57% increase compared to 2023.<sup>10, 11</sup> (see Graph 4) **The average age of missing child sex trafficking victims is fifteen.**<sup>12</sup> NCMEC also reported that of **children enticed online more than one-third (36%) were recovered in a different state from the state where they went missing.**<sup>13</sup> (See Table 2 and Graph 5)<sup>14</sup>

## Transportation

Traffickers and victims use various methods of transportation to facilitate exploitation. According to a National Outreach Survey for Transportation, of 107 human trafficking survivors who responded to whether transportation was used during their exploitation, 76% indicated transportation was used.<sup>15</sup> In a Polaris survey of human trafficking survivors, transportation methods used during exploitation included vehicles, buses, airplanes, subways, trains, and cruise ships.<sup>16</sup> (See Graph 6) As such, traffickers may transport victims in the region they live or to other states and areas of the world for exploitation.

## Appendix A

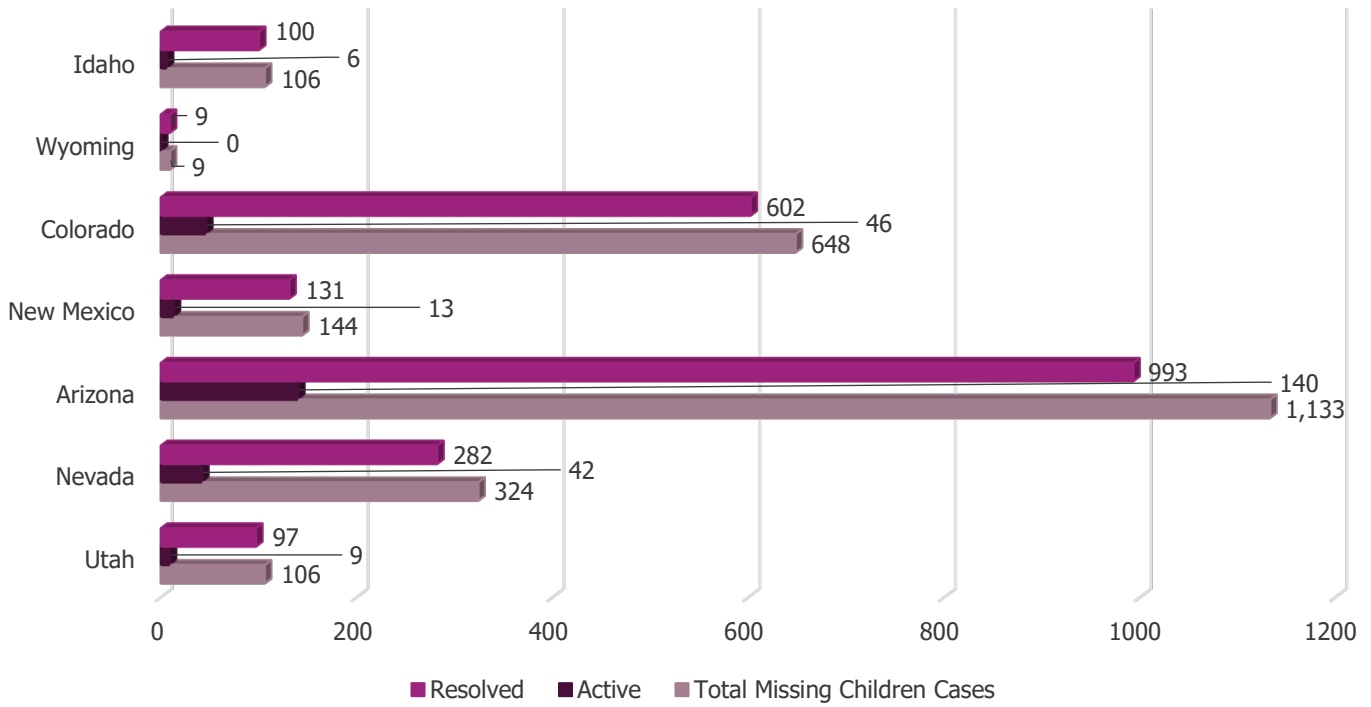




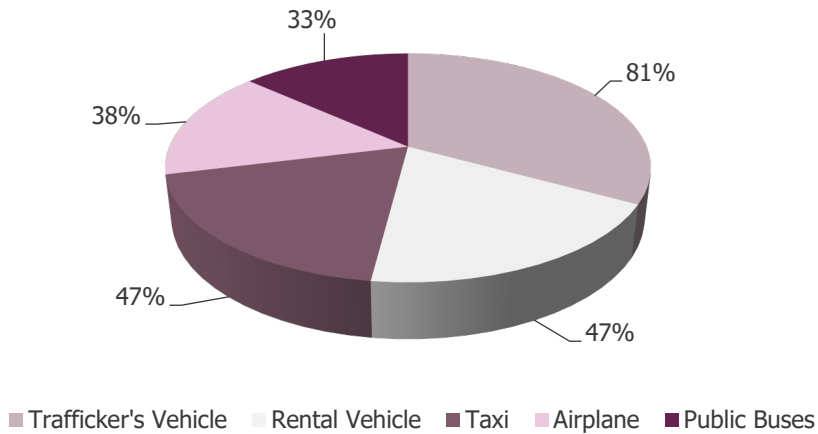
**Table 2: Number of Missing Children Ages 11-17 in 2024, NCMEC**

Age	Number of Children Missing
11	2
12	39
13	172
14	450
15	909
16	1,216
17	1,496

**Graph 5: Missing Children in Utah and Surrounding States from January 1, 2024 to December 31, 2024, NCMEC**



**Graph 6: Top Five Methods of Transportation for Human Trafficking Victims, Polaris**



## Citations

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- <sup>1</sup> International Labour Organization, Walk Free, & International Organization for Migration, "Global Estimates of Modern Slavery: Forced Labour and Forced Marriage." *ILO, Walk Free, and IOM*, September 2022. [wcms\\_854733.pdf](#)
- <sup>2</sup> United Nations Office on Drugs and Crime, "Interlinkages Between Trafficking in Persons and Marriage." UNODC, 2020. [UNODC Interlinkages Trafficking in Persons and Marriage.pdf](#)
- <sup>3</sup> International Labour Organization, Walk Free, & International Organization for Migration, "Global Estimates of Modern Slavery: Forced Labour and Forced Marriage." *ILO, Walk Free, and IOM*, September 2022. [wcms\\_854733.pdf](#)
- <sup>4</sup> Utah Attorney General S.E.C.U.R.E. Strike Force, "FY 2024 Annual Report to the Utah Legislature." *AGs Office*, 2025. [FY 2024 Annual Report](#).
- <sup>5</sup> Utah Attorney General S.E.C.U.R.E. Strike Force, "FY 2023 Annual Report to the Utah Legislature." *AGs Office*, 2024. [FY 2023 Annual Report](#).
- <sup>6</sup> Utah Attorney General S.E.C.U.R.E. Strike Force, "FY 2022 Annual Report to the Utah Legislature." *AGs Office*, 2023. [FY 2022 Annual Report](#).
- <sup>7</sup> National Human Trafficking Hotline, "Utah Statistics by Year." *NHTH*, 2020-2024. [Utah | National Human Trafficking Hotline](#).
- <sup>8</sup> Department of Justice, "Colorado City Man and 10 Members of Polygamist Sect Charged with Illicit Sexual Conduct with Minors, and Related Crimes." *DOJ U.S. Attorney's Office District of Arizona*, May 2023. [District of Arizona | Colorado City Man and 10 Members of Polygamist Sect Charged with Illicit Sexual Conduct with Minors, and Related Crimes | United States Department of Justice](#).
- <sup>9</sup> National Center for Missing and Exploited Children, "Our Impact: 2024 Every Child Deserves a safe childhood." *NCMEC*, 2024. [Our Impact](#).
- <sup>10</sup> National Center for Missing and Exploited Children, "2023 Our Impact." *NCMEC*, 2023. [2023-ncmec-our-impact.pdf](#).
- <sup>11</sup> National Center for Missing and Exploited Children, "Our 2022 Impact." *NCMEC*, April 2023. [2022-ncmec-our-impact.pdf](#).
- <sup>12</sup> National Center for Missing and Exploited Children, "Child Sex Trafficking." *NCMEC*. [Child Sex Trafficking](#).
- <sup>13</sup> National Center for Missing and Exploited Children, "Online Enticement: An Analysis of Missing Children and Youth 2020-2023." *NCMEC*. [Online Enticement: An Analysis of Missing Children and Youth 2020-2023](#).
- <sup>14</sup> National Center for Missing and Exploited Children, "Our Impact: 2024 Every Child Deserves a safe childhood." *NCMEC*, 2024. [Our Impact](#).
- <sup>15</sup> United Against Slavery. "2021 National Outreach Survey for Transportation." *United Against Slavery*, January 2024. [NOST 2021 Final Report \(1\).pdf](#)
- <sup>16</sup> Polaris. "On-Ramps, Intersections, and Exit Routes: A Roadmap for Systems and Industries to Prevent and Disrupt Human Trafficking." *Polaris*, July 2018. [A-Roadmap-for-Systems-and-Industries-to-Prevent-and-Disrupt-Human-Trafficking.pdf](#)