

28 **30-1-8. Application for license -- Contents.**

29 (1) A marriage license may be issued by the county clerk only after an application has been
30 filed in his office, requiring the following information:

31 (a) the full names of the parties, including the maiden name of the female;

32 (b) the Social Security numbers of the parties, unless the party has not been assigned a
33 number;

34 (c) the current address of each party;

35 (d) the date and place of birth (town or city, county, state or country, if possible);

36 (e) the names of their respective parents, including the maiden name of the mother;

37 (f) the birthplaces of fathers and mothers (town or city, county, state or country, if
38 possible); and

39 (g) the distinctive race or nationality of each of the parents.

40 (2) If the female is a widow, her maiden name shall be shown in brackets.

41 ~~[(3) If one or both of the parties is under 16 years of age, the clerk shall provide them with
42 a standard petition on a form approved by the Judicial Council to be presented to the juvenile court
43 to obtain the authorization required by Section 30-1-9.]~~

44 ~~[(4)]~~ (3) (a) The Social Security numbers obtained under the authority of this section may
45 not be recorded on the marriage license, and are not open to inspection as a part of the vital
46 statistics files.

47 (b) The Department of Health, Bureau of Vital Records and Health Statistics shall, upon
48 request, supply those Social Security numbers to the Office of Recovery Services within the
49 Department of Human Services.

50 (c) The Office of Recovery Services may not use any Social Security numbers obtained
51 under the authority of this section for any reason other than the administration of child support
52 services.

53 Section 3. Section **30-1-9** is amended to read:

54 **30-1-9. Marriage by minors -- Consent of parent or guardian -- Juvenile court**
55 **authorization.**

56 ~~[(1)]~~ If at the time of applying for a license the male or the female is under 18 years of age,
57 and not before married, a license may not be issued without~~[:-(a)]~~ the consent of his or her father,
58 mother, or guardian personally given or certified in writing to the clerk over his or her signature~~;~~

59 and].

60 ~~[(b) if under 16 years of age, the written authorization to marry from a judge of the court~~
61 ~~exercising juvenile jurisdiction in the county where either party to the marriage resides. The~~
62 ~~written authorization may also be obtained from a court commissioner as permitted by rule of the~~
63 ~~Judicial Council.]~~

64 ~~[(2) Before issuing written authorization for a minor to marry, the judge shall ascertain that~~
65 ~~the minor is entering into the marriage voluntarily.]~~

66 ~~[(3) The determination of voluntariness shall be made on the record. Any inquiry~~
67 ~~conducted by the judge may be conducted in chambers.]~~

68 Section 4. Section **78-3a-104** is amended to read:

69 **78-3a-104. Jurisdiction of juvenile court -- Original -- Exclusive.**

70 (1) Except as otherwise provided by law, the juvenile court has exclusive original
71 jurisdiction in proceedings concerning:

72 (a) a minor who has violated any federal, state, or local law or municipal ordinance or a
73 person younger than 21 years of age who has violated any law or ordinance before becoming 18
74 years of age, regardless of where the violation occurred, excluding traffic laws and ordinances;

75 (b) a person 21 years of age or older who has failed or refused to comply with an order of
76 the juvenile court to pay a fine or restitution, if the order was imposed prior to the person's 21st
77 birthday; however, the continuing jurisdiction is limited to causing compliance with existing
78 orders;

79 (c) a minor who is an abused child, neglected child, or dependent child, as those terms are
80 defined in Section 78-3a-103;

81 (d) a protective order for a minor who is alleged to be an abused child or neglected child,
82 except as provided in Section 78-3a-105, and unless the petition is filed by a natural parent of the
83 minor against a natural parent of the minor;

84 (e) the determination of the custody of a minor or to appoint a guardian of the person or
85 other guardian of a minor who comes within the court's jurisdiction under other provisions of this
86 section;

87 (f) the termination of the legal parent-child relationship in accordance with Part 4,
88 Termination of Parental Rights Act, including termination of residual parental rights and duties;

89 (g) the treatment or commitment of a mentally retarded minor;

90 (h) a minor who, in defiance of earnest and persistent efforts on the part of his parents and
91 school authorities as required under Section 53A-11-103, is a habitual truant from school;

92 (i) the judicial consent to the [~~marriage of a minor under age 16 upon a determination of~~
93 ~~voluntariness or where otherwise required by law,~~] employment[, or enlistment of a minor when
94 consent is required by law;

95 (j) any parent or parents of a minor committed to a secure youth corrections facility, to
96 order, at the discretion of the court and on the recommendation of a secure youth corrections
97 facility, the parent or parents of a minor committed to a secure youth corrections facility for a
98 custodial term, to undergo group rehabilitation therapy under the direction of a secure youth
99 corrections facility therapist, who has supervision of that parent's or parents' minor, or any other
100 therapist the court may direct, for a period directed by the court as recommended by a secure youth
101 corrections facility;

102 (k) a minor under Title 55, Chapter 12, Interstate Compact on Juveniles;

103 (l) the treatment or commitment of a mentally ill child. The court may commit a child to
104 the physical custody of a local mental health authority or to the legal custody of the Division of
105 Mental Health in accordance with the procedures and requirements of Title 62A, Chapter 12, Part
106 2A, Commitment of Persons Under Age 18 to Division of Mental Health. The court may not
107 commit a child directly to the Utah State Hospital; and

108 (m) the commitment of a minor in accordance with Section 62A-8-501.

109 (2) In addition to the provisions of Subsection (1)(a) the juvenile court has exclusive
110 jurisdiction over any traffic offense committed by a minor under 16 years of age and concurrent
111 jurisdiction over all other traffic offenses committed by a minor 16 years of age or older, except
112 that the court shall have exclusive jurisdiction over the following traffic offenses committed by
113 a minor under 18 years of age:

114 (a) Section 76-5-207, automobile homicide;

115 (b) Section 41-6-44, operating a vehicle while under the influence of alcohol or drugs;

116 (c) Section 41-6-45, reckless driving;

117 (d) Section 41-1a-1314, unauthorized control over a motor vehicle, trailer, or semitrailer
118 for an extended period of time; and

119 (e) Section 41-6-13.5, fleeing a peace officer.

120 (3) The court also has jurisdiction over traffic offenses that are part of a single criminal

121 episode filed in a petition that contains an offense over which the court has jurisdiction.

122 (4) The juvenile court has jurisdiction over questions of custody, support, and visitation
123 certified to it by the district court pursuant to Section 78-3a-105.

124 (5) The juvenile court has jurisdiction over an ungovernable or runaway minor who is
125 referred to it by the Division of Child and Family Services or by public or private agencies that
126 contract with the division to provide services to that minor where, despite earnest and persistent
127 efforts by the division or agency, the minor has demonstrated that he:

128 (a) is beyond the control of his parent, guardian, lawful custodian, or school authorities
129 to the extent that his behavior or condition endangers his own welfare or the welfare of others; or

130 (b) has run away from home.

131 (6) This section does not restrict the right of access to the juvenile court by private
132 agencies or other persons.

133 (7) The juvenile court has jurisdiction of all magistrate functions relative to cases arising
134 under Section 78-3a-602.

Legislative Review Note
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A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel