

**SB156 – Minimum Marriage Age**

Page 1 – Summary of Concerns

Page 2 – Personal Stories

Page 3 – Nationwide Summary of Marriage Laws

**Summary of Concerns**

SB156 makes several problematic claims

***“Marriage is the problem”***

Although our marriage laws can be abused by abusive individuals, the existence of the marriage law is not the problem – the abuser and their actions are. The underlying assumption behind SB156 is that if this type of marriage goes away, so does the problem of an abuser – this is not the case. Those who wish to force a young girl into a bad situation will not become good people and change their ways – they will merely change the details of their plan.

***“Parents aren’t monitoring”***

Although there are examples of parents wishing to carry out horrible actions towards their children, this is the exception and not the rule. By removing the option for all families, the legislation accuses all families.

***“Sex and marriage are not connected”***

Our current age of consent in South Dakota is 16, which matches the age of possible marriage (assuming parental consent). Raising the marriage age to 18 while not amending the age of consent places the state law in the position of asserting that marriage and the sexual act are inherently not connected. In essence, as a matter of law, “You can hook up but you cannot get married.”

***“Specific situations should be fixed with sweeping policy”***

If there are examples of abusive parents misusing the law and forcing young girls into bad situations, additional regulations and safeguards can be put into place (see page 3). Rather than making a sweeping change to the marriage laws, additional safeguards can be put into place to catch the bad actors who have intent to abuse the marriage laws as they seek to abuse young girls.

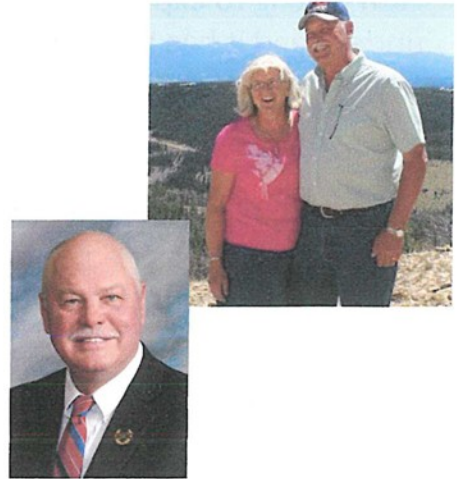
# Three Legislative Families

## Representative Gary Cammack

*Committee Remarks, House State Affairs  
HB1154 public hearing, January 29, 2024*

"I think that this legislation is well intended, but I think there are circumstances that we should not get in the way of a marriage of a person that is 16 or 17. The safeguards are built into the existing law."

"I have a little personal experience, my bride of 52 years was 17 years old when we got married. She had graduated from highschool, and like I said, I think it stuck – it's 52 years, we've got 4 sons and 10 grandkids."



## Representative John Sjaarda

*Personal Remarks*

"My wife and I got married at 19 years old and have no regrets after 28 years. Our son is following in our footsteps and is currently engaged to his 17 year old fiancé. They have been dating for 2 1/2 years and are best friends and we support them getting into a God honoring life long commitment of marriage at a young age"

-John

"We have known our future daughter in law's family for over 20 years. When our kids started dating we had no idea we'd be planning a wedding this summer. When their relationship became serious, our son asked for their daughter's hand in marriage. We were all in favor of these two getting married at a young age."

-Kaye



## **Representative Randy Gross**

*Personal letter to Senate Judiciary Committee  
February 5, 2025*

I am writing to express my concerns about SB156 as I understand it has been assigned to you on the Senate Judiciary Committee. In short, I see no beneficial reason for the change this bill brings.

I speak from personal experience as 25 years ago I went to the courthouse and signed a consent form for our youngest daughter to marry before she turned 18.

Contrary to our beliefs and what we taught, our daughter became pregnant via her high school sweetheart who she had known for many years. She then made the right decision - to remain pregnant and raise the baby. This young by age but mature in nature couple wanted to be married.

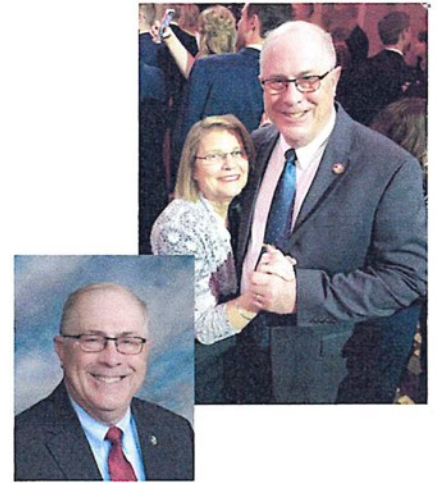
Because of our ability/willingness to consent they were married and remain happily so to this day. Our daughter finished high school and has obtained her bachelor's degree with honors. She now works in a public school. Her husband attended Gonzaga University on a ROTC scholarship, worked multiple jobs while in school and just recently retired from the U.S. Army as a Lt. Colonel. They have lived and served our country in numerous locations around the U.S. and world and have three wonderful children - each successful in their own way. Their entire family is a joy to all who know them.

Without the option of legal marriage how might our situation have evolved? One can only speculate, but I am sure the odds of a successful relationship are significantly reduced. Unmarried couples lack commitment and the legal ability to conduct daily business affairs as a couple.

Many of our earlier ancestors living on the South Dakota prairie married at a young age and succeeded, resulting in the great state we enjoy today.

Please remember the success stories and vote NO on SB 156.

Randy Gross



# Evaluating the Minimum Marriage Age in the U.S.

---

In the United States, the marriage age is set by each state and territory, either by the common law or by individual statutes. Marriage under 18 was legal in all 50 states until 2018. Currently, South Dakota is among the 78% of states that allow marriage under 18 under exceptional circumstances, and it is 1 of 24 states (along with the District of Colombia) that have a minimum marriage age of 16.

An individual in the U.S. can marry without parental consent at the age of 18 in all states except for Nebraska (19 years old) and Mississippi (21 years old).

Exceptional circumstances for underage marriage include:

- Consent of a court clerk or judge
- Consent of the parents or legal guardians of the minor
- If one of the parties is pregnant or has given birth to a child
- If the minor is emancipated

Examples of other requirements by state:

- Arizona, Colorado & Idaho: cannot be more than a 3-year age difference
- California: along with written parental consent, there is a 30-day waiting period and a meeting with the judge before marriage
- Colorado:
- Florida: the other party cannot be more than two years older than the minor
- Georgia: cannot be more than a four-year age difference and those who are 17 must take premarital education classes
- Indiana: requires parental consent, a judicial order and proof of emancipation; there cannot be more than a four-year age difference; and marital counseling and a 15-day waiting period is required
- Louisiana: must be less than a three-year age difference
- Missouri: while the minimum marriage age is 16 with parental consent, a person over 21 cannot marry someone under 18
- Montana: requires parental consent, at least two counseling sessions and a meeting with a judicial officer
- Texas: must have proof of emancipation

(See map on reverse side)

