



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

SB 26-048: REMOVE EXCEPTION TO MARRY WITH JUDICIAL APPROVAL

Prime Sponsors:

Sen. Hinrichsen; Marchman
Rep. Joseph

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Fiscal note status: The fiscal note reflects the introduced bill.

Summary Information

Overview. This bill requires individuals be at least 18 years old to obtain a marriage license.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Expenditures
- Minimal State Workload
- State Revenue

Appropriations. For FY 2026-27, the bill requires an appropriation reduction of \$7,125 to the Office of the Child's Representative.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$0	\$0
State Expenditures (General Fund)	-\$7,125	-\$7,125
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Under current law, judicial approval and appointment of a guardian ad litem (GAL) is required for individuals who are 16 or 17 years of age to get married. Individuals younger than 16 are not permitted to marry. This bill repeals this exception, requiring that individuals be at least 18 years old to obtain a marriage license.

Background

According to the Office of the Child's Representative, from FY 2021-22 through FY 2024-25, the courts appointed a GAL in an average of 16 underage marriage cases per year. These appointments were made to represent minors petitioning the court for authorization to obtain a marriage license.

State Revenue

By prohibiting 16 and 17 years olds from marrying, the bill minimally decreases state revenue from two sources. First, revenue from marriages licenses will minimally decrease. This fee is currently \$30, of which \$23 is revenue to the state (\$20 to the Domestic Abuse Program Fund and \$3 to the Vital Statistics Records Cash Fund) and \$7 is retained by counties. Second, the bill will minimally decrease filing fee revenue to the trial courts in the Judicial Branch from cases where 16 and 17 years olds petition for judicial approval to marry.

State Expenditures

Starting in FY 2026-27, the bill decreases costs in the Office of the Child Representative by \$7,000 per year, and decreases workload in the Judicial Department, as described below.

Office of the Child's Representative

Starting in FY 2026-27, expenditures in the Office of the Child's Representative are expected to decrease by approximately \$7,125 annually due to the elimination of guardian ad litem appointments in underage marriage cases. This assumes each cases takes about 4 hours at the current contract attorney rate of \$110.

Judicial Department

The bill is anticipated to minimally reduce trial court workload in the Judicial Department by eliminating petitions for judicial authorization of marriage licenses for individuals under 18 years of age. Given the relatively small number of underage marriage cases filed annually, this workload reduction for the trial courts is assumed to be minimal. No change in appropriation is required.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State Appropriations

For FY 2026-27, the bill requires a decrease in General Fund appropriations of \$7,125 to the Office of the Child's Representative.

State and Local Government Contacts

Counties	Judicial
County Clerks	Office of the Child's Representative
Human Services	Public Health and Environment