

DOMESTIC RELATIONS AND PERSONS

CHAPTER 133

HOUSE BILL NO. 1297
(Olson)

LAWFUL AGE FOR MARRIAGE

AN ACT to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 14-03-02 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-03-02. LAWFUL AGE FOR MARRIAGE.) Any unmarried person of the age of eighteen years or upwards, and not otherwise disqualified, is capable of consenting to and consummating a marriage. If a person is between sixteen and eighteen years of age, a marriage license shall not be issued without the consent of the parents or guardian, if there are any. A marriage license shall not be issued to any person below the age of sixteen, notwithstanding the consent of the parents or guardian of said person.

Approved March 17, 1977

CHAPTER 134

SENATE BILL NO. 2059
(Legislative Council)
(Interim Committee on Judiciary "C")

MARRIAGE RESTRICTIONS

AN ACT to amend and reenact sections 14-03-07 and 14-03-12 of the North Dakota Century Code, relating to prohibited marriages and marriage prohibition if a person is infected with syphilis in communicable form.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 14-03-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-03-07. MARRIAGES PROHIBITED.) Marriage by a woman under the age of forty-five years or by a man of any age, unless he marries a woman over the age of forty-five years, is prohibited if such a man or woman is institutionalized as severely retarded.

SECTION 2. AMENDMENT.) Section 14-03-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-03-12. SEROLOGICAL TEST FOR SYPHILIS REQUIRED BEFORE APPLICATION FOR LICENSE FILED.) Before any county judge shall accept an application for a marriage license, each applicant must file with him a certificate from a duly licensed physician and surgeon stating that the applicant has been given a standard serological test and such other examination as may be necessary for the discovery of syphilis, and that in the opinion of the physician and surgeon the applicant is not infected with syphilis or that if so infected such disease is not in such a stage of development that it is or may become communicable to the marital partner. Such examination shall have been made not more than thirty days prior to the date of the application. No license shall be granted if either party is infected with syphilis or other venereal disease in communicable form, and no person who is so afflicted is entitled to marry.

Approved March 17, 1977

CHAPTER 135

HOUSE BILL NO. 1053
(Legislative Council)
(Interim Committee on Judiciary "B")

MEDICAL TREATMENT OF MINORS

AN ACT to create and enact section 14-10-17.1 of the North Dakota Century Code, relating to emergency treatment of minors without their parents' permission, and to amend and reenact section 14-10-17 of the North Dakota Century Code, relating to the treatment of minors for alcoholism without their parents' permission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 14-10-17 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-10-17. MINORS - TREATMENT FOR VENEREAL DISEASE - DRUG ABUSE - ALCOHOLISM.) Any person of the age of fourteen years or older may contract for and receive examination, care, or treatment for venereal disease, alcoholism, or drug abuse without permission, authority, or consent of a parent or guardian.

SECTION 2.) Section 14-10-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

14-10-17.1. MINORS EMERGENCY CARE.) Any minor may contract for and receive emergency examination, care, or treatment in a life threatening situation without permission, authority, or consent of a parent or guardian.

Approved March 12, 1977

CHAPTER 136

SENATE BILL NO. 2167
(Committee on Social Welfare and Veterans' Affairs)
(At the request of the Social Service Board)

NOTICE OF PETITION FOR ADOPTION

AN ACT to amend and reenact subsection 1 of section 14-15-11 of the North Dakota Century Code, relating to persons entitled to notice of petition for adoption.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 1 of section 14-15-11 of the 1975 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. After the filing of a petition to adopt a minor, the court shall fix a time and place for hearing the petition. At least twenty days before the date of hearing, notice of the filing of the petition and of the time and place of hearing shall be given by the petitioner to (a) the social service board; (b) any agency or person whose consent to the adoption is required by this act but who has not consented; (c) a person whose consent is dispensed with upon any ground mentioned in subdivisions a, b, g, h, and i of subsection 1 of section 14-15-06 but who has not consented; and any person identified by the court as a natural parent or a possible natural parent of the minor, upon making inquiry to the extent necessary and appropriate, as in proceedings under section 27-20-45 and section 14-17-24, unless the person has relinquished parental rights or his parental rights have been previously terminated by a court. The notice to the social service board shall be accompanied by a copy of the petition.

Approved March 17, 1977