

**Testimony in on HB 4301: Support with Amendment
Presented to the Michigan House Committee on Judiciary**

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Chair Breen, Vice Chairs Edwards and Fink, and Distinguished Committee Members:

The Tahirih Justice Center (Tahirih) is a national legal advocacy and direct services organization, founded in 1997, that has assisted over 25,000 survivors of domestic violence, sexual assault, human trafficking, and other forms of gender-based violence.

Tahirih has unique legal and policy expertise in forced and child marriage in the United States. Through Tahirih's Forced Marriage Initiative, launched in 2011, we have worked on several hundred cases of forced marriage across the country. We have also compiled extensive research on child marriage in the United States, including a 50-state statutory compilation, an in-depth report that compares and analyzes all states' minimum marriage age laws and exceptions, a compilation of stories from survivors of child marriage in the United States, and a policy brief reflecting on progress made in the national movement to end child marriage since 2016.ⁱ

We strongly support the suite of legislation that ends child marriage in Michigan, but ask for a minor amendment to HB 4301.

HB 4301 importantly strikes the ability of emancipated minors to marry in Michigan. We fully support this. The bill also, however, strikes language that automatically emancipates a minor who does marry. Current statute states "An emancipation occurs by operation of law...when a minor is validly married."ⁱⁱ

While removing this language makes sense if thinking about Michigan minors living in a future Michigan that has ended child, lack of reform in Michigan's neighbors means that children – both within Michigan and these states – would still remain vulnerable to forced child marriages.

Tahirih has worked on many cases that cross state borders, including cases of children taken from a state that has recently acted to limit or end child marriage and into another, less protective state for the purpose of marriage. Even once Michigan ends

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child marriage, Michigan-resident children may still face the prospect of forced marriage in a number of other nearby states before returning home to Michigan. Conversely, a minor married in a neighboring state may move into Michigan after this marriage has occurred.

In either case, the already-married minor would benefit from automatic emancipation based on the fact of their marriage. This automatic emancipation provides legal and practical rights that can be critical for an already-married minor seeking to resist abuse or leave a marriage they never wanted.

For this reason, we ask the committee to amend HB 4301 by restoring the language in [Section 722.4\(2\)\(a\)](#): “*When a minor is validly married.*” With this minor amendment, the bill deserves the committee’s strong support.

We respectfully urge the Committee to amend and support HB 4301.

We have submitted separate testimony on related legislation as well: supporting HB 4293-4298 and 4300, supporting HB 4302 with minor amendments, and opposing HB 4299.

ⁱ A full copy of Tahirih’s 50-state report, along with other resources, is available at www.tahirih.org/childmarriagepolicy.

ⁱⁱ See 1968 PA 293, Title § 722.4 (2)(a)
[https://www.legislature.mi.gov/\(S\(hspqjmd5ejcw1fjubadclstj\)\)/mileg.aspx?page=getObject&objectName=mcl-722-4](https://www.legislature.mi.gov/(S(hspqjmd5ejcw1fjubadclstj))/mileg.aspx?page=getObject&objectName=mcl-722-4)