



Legal Age of Consent for Marriage and Sex for the 50 United States*

	Legal Minimum Age of Consent for Marriage					Statutes Governing the Legal Age of Consent for Marriage	Volubility of Marriage to Minor / Annulment	Legal Minimum Age of Consent for Sex		
	Legal Minimum Age of Consent for Marriage	Legal Minimum Age for Marriage with Parental Consent	Whether minors under the minimum legal age can marry with parental and judicial consent	Presence of stipulations that minors under the minimum age can marry due to pregnancy	Relevant language regarding voluntary consent and welfare of minor			Legal Minimum Age of Consent for Sexual Activity	Age Differential Between Victim and Defendant if Provided	Statutes Governing the Legal Age of Consent for Sex
Alabama	18	16	N/A	N/A	N/A	Ala. Code § 30-1-4; § 30-1-5	Annulments can still be brought while a party is underage.	16	2 years	Ala. Code § 13A-6-62; 13A-6-64
Alaska	18	16	Yes (Minimum age: 14)	N/A	Judicial permission for marriage of minors between the age of 14; 16 requires that the parents and minor be heard and "the best interest of the minor" be considered.	Alaska Stat. Ann. § 25.05.171	Marriage is voidable if consent is obtained by force. Alaska Stat. Ann. § 25.05.031	16	3 or 4 Years (Depending on Age of Defendant)	Alaska Stat. Ann. § 11.41.434; § 11.41.445
Arizona	18	16	Yes.	N/A	Judicial permission for marriage of minors under 16 requires 1) premarital counseling, 2) voluntary consent of minor, 3) best interest of the minor, 4) may require the minor to attend school.	Ariz. Rev. Stat. Ann. § 25-102	Governed by Ariz. Rev. Stat. Ann. § 25-301	15 / 18	If the victim is at least 15 and the defendant is either under 19, attending high school or is no more than two years older than the victim, then sexual conduct is deemed consensual.	Ariz. Rev. Stat. Ann. § 13-1405; 13-1407
Arkansas	18	Male: 17 Female: 16	Yes, in case of pregnancy.	Yes. [Specified in § 9-11-103]	Judge can override parental permission in the case of marriage of minors. "If the marriage is not in the child's best interest."	Ark. Code Ann. § 9-11-102; § 9-11-105	All marriages of a party under the age of 17 for males and 16 for females is voidable. § 9-11-105	14 / 16	If the defendant is 20 years or older; the age of consent is 16. Otherwise, it is 14, with a 4 year age differential for victims over the age of 12.	Ark. Code Ann. § 5-14-101; § 5-14-127
California	18	No Age Limits	Yes.	N/A	Judge may require premarital counseling before giving consent to minors.	Cal. Fam. Code § 300 - 303	Annulment is available if consent was obtained by force. Cal. Fam. Code § 2210.	18	Grade of crime ranges depending on age of victim and defendant.	Cal. Penal Code § 261.5
Colorado	18	16	Yes.	N/A	"A license [shall be issued]: only if the court finds that the underage party is capable of assuming the responsibilities of marriage and the marriage would serve his best interests. Pregnancy alone does not establish that the best interests of the party would be served."	Colo. Rev. Stat. § 14-2-106; § 14-2-108	Annulment is available if party entered into marriage under duress. Colo. Rev. Stat. Ann. § 14-50-111	18/15	Sexual intrusion or sexual penetration with someone less than 15 years of age is sexual assault when the defendant is at least 4 years older than the victim. If the defendant is at least 10 years older than the victim, the age of consent is raised to 17.	Colo. Rev. Stat. § 18-3-1402; 1404
Connecticut	18	16	Yes. (Must have both)	N/A	N/A	Conn. Gen. Stat. Ann. § 46b-30	Governed by Conn. Gen. Stat. Ann. § 46b-40	16	If the victim is older than 13, but younger than 16 and the defendant is 3 years older than the victim, it is sexual assault.	Conn. Gen. Stat. Ann. § 53a-73a
Delaware	18	No Age Limits	Yes. (Must have judicial consent).	N/A	Judicial permission should consider: "The best interests of the minor seeking to be married; the wishes of the minor and such minor's parents or legal guardians; the mental and physical health of the individuals to be married; the criminal history of the individuals seeking to be married."	Del. Code Ann. tit. 13, § 123	Annulment available if party was under duress when consenting to marriage. Del. Code Ann. tit. 13, § 1506	16 / 18	If the victim is older than 16 but not yet 18, and the defendant is 30 years or older, sexual acts are criminal unless the parties are married.	Del. Code Ann. tit. 11, § 770
Florida	18	16	Yes. (In case of pregnancy or children)	Yes.	N/A	Fla. Stat. Ann. § 741.0405	N/A	16	If a person who is 24 or older engages in sexual activity with a person 16 or 17, it constitutes a felony, unless the parties are married.	Fla. Stat. Ann. § 794.05; 800.04
Georgia	18	16	N/A	N/A	N/A	Ga. Code Ann. §§ 19-3-2	Code stipulates that consent must be voluntary and freely given, and if not is subject to annulment. However, if consent is later given along with cohabitation, annulment may be unavailable. Ga. Code Ann. § 19-3-5	16	If the victim is at least 14 but not yet 16, and the defendant is at least 18 or younger and no more than 4 years older than the victim, the penalty is mitigated as a misdemeanor.	Ga. Code Ann. § 16-6-3
Hawaii	18	16	Yes. (Minimum age 15.)	N/A	"Consent of neither party to the marriage has been obtained by force, duress, or fraud."	Haw. Rev. Stat. § 572-1, 572-2	If consent was obtained by force, annulment is available. Haw. Rev. Stat. § 586-21	16	If the victim is at least 14, but not yet 16 and the defendant is less than 5 years older than the victim or if the parties are married, the sexual activity is consensual.	Haw. Rev. Stat. § 707-730
Idaho	18	16	Yes.	N/A	For minors under age 16, they must show that they are "physically and/or mentally so far developed as to assume full marital and parental duties, and/or that it is in the best interest of society that the marriage be permitted"	Idaho Code Ann. § 32-202	N/A	16 / 18	When a victim is 16 or 17 and the perpetrator is 3 years older than the victim, it does constitute rape.	Idaho Code Ann. § 18-6101, 6107, 6108, 1508A
Illinois	18	16	N/A	N/A	Marriage of underage minors can only be approved if the Court finds that the underage party is "capable of assuming the responsibilities of marriage and the marriage will serve his best interest. Pregnancy alone does not establish that the best interest of the party will be served."	750 Ill. Comp. Stat. Ann. 5/203; 5/208	Marriage can be declared invalid if party consented due to force or fraud. 750 Ill. Comp. Stat. Ann. 5/201	17	A defendant commits aggravated criminal sexual abuse if the victim is at least 13 years of age but under 17 years of age and the accused at least 5 years older than the victim.	720 Ill. Comp. Stat. Ann. 5/11-1.60



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Indiana	18	17	Yes (Minimum age: 15)	Yes	In case of marriage of minors over age 15 due to pregnancy, one of the elements that must be proved is that "the individuals desire to marry each other."	Ind. Code Ann. § 31-11-1.4 - § 31-11-1.4	Annulment available if incapable of consenting due to age. Ind. Code Ann. 31-11-10.1	16	4 Years	Ind. Code Ann. § 35-42-4-9
Iowa	18	16	N/A	N/A	N/A	Iowa Code Ann. § 595.2	N/A	16	If the victim is 14 or 15 and the defendant is more than 4 years the victim, it does constitute sexual abuse	Iowa Code Ann. § 709.4
Kansas	18	16	Yes (Minimum age 15)	N/A	"When the marriage is in the best interest of the person 15 years of age."	Kan. Stat. Ann. § 23-106	A court can declare a marriage invalid if consent was induced by force. Ky Rev. Stat. Ann. § 403.120	16	4 Years	Kan. Stat. Ann. § 21-3504, 3502, 3522 (As amended by 2011 Kan. Sess. Laws Ch. 30 (H.B. 2339))
Kentucky	18	16	Yes, in case of pregnancy.	Yes	N/A	Ky Rev. Stat. Ann. § 402.02D	Absence of consent will nullify a marriage. La. Civ. Code Ann. art. 95.	16	N/A	Ky Rev. Stat. Ann. § 510.020
Louisiana	18	16	Yes	N/A	N/A	La. Child. Code Ann. art. 1545		17	4 Years	La. Rev. Stat. Ann. § 14:80
Maine	18	16	Yes	N/A	"The judge of probate shall base a decision on whether to issue consent on the best interest of the parties under 16 years of age and shall consider the age of both parties and any criminal record of a party who is 18 years of age or older."	Me. Rev. Stat. Ann. tit. 19, § 652		16	5 Years	Me. Rev. Stat. Ann. tit. 17, § 254
Maryland	18	16	Yes (minimum age 15) in case of pregnancy	Yes	N/A	Md. Code Ann., Family Law § 2-301	N/A	16	4 Years	Md. Code Ann. Crim. Law § 3-308
Massachusetts	18	Male: 14, Female: 12	N/A	N/A	N/A	Mass. Gen. Laws Ann. ch. 207, § 7, 24, 25	Annulment governed by Mass. Gen. Laws, ch. 207, § 14	16	N/A	Mass. Gen. Laws Ann. ch. 265, § 23
Michigan	18	16	N/A	N/A	N/A	Mich. Comp. Laws Ann. § 551.51; § 551.103	Marriages under the age of 16 are void. § 551.51	16	Sexual contact with a person older than 13 but not yet 16 years of age is legal if the defendant is less than 5 years older than the person	Mich. Comp. Laws Ann. § 750.520d, 520e
Minnesota	18	16	N/A	N/A	N/A	Minn. Stat. Ann. § 517.02	Annulment if consent was obtained by force. Minn. Stat. Ann. § 518.02	16	If the victim is at least 13 but not yet 16, and the defendant is less than 2 years older than the victim, sexual conduct is consensual	Minn. Stat. Ann. § 609.342 - 609.344
Mississippi	Male: 17, Female: 15	No Age Limits	Yes	N/A	"If satisfactory proof is furnished... that sufficient reasons exist and that the parties desire to be married to each other and that the parents or other person in loco parentis of the person or persons so under age consent to the marriage, then the judge of any such court in the county where either of the parties resides may waive the minimum age requirement."	Miss. Code Ann. § 93-1-5	N/A	16	Sexual intercourse with a victim who is at least 14 but not yet 16 and is at least 3 years younger than the defendant, it is considered statutory rape, and if the victim is under the age of 14 and is two years younger than the defendant	Miss. Code Ann. § 97-3-45
Missouri	18	15	Yes, judicial consent required.	N/A	No license for minor under age of 15 "such license being issued only for good cause shown and by reason of such unusual conditions as to make such marriage advisable."	Mo. Ann. Stat. § 451.090	N/A	17/14	If the person is over the age of 14, the defendant must be twenty-one years or older for it to be considered statutory rape.	Mo. Ann. Stat. § 566.032, § 566.034
Montana	18	16	N/A	Pregnancy alone cannot establish "best interests."	In case of marriage of minors age 16 or 17: "A marriage license and a marriage certificate form may be issued under this section only if the court finds that the underage party is capable of assuming the responsibilities of marriage and the marriage will serve the party's best interests."	Mont. Code Ann. § 40-1-213; § 40-1-202	N/A	16	4 years	Mont. Code Ann. § 45-5-501 - 545-5-503
Nebraska	17	17	N/A	N/A	N/A	Nebr. Rev. St. § 42-102; 42-105	Annulment if by force or fraud. Neb. Rev. St. § 42-314	16	Actor must be at least nineteen years of age.	Neb. Rev. Stat. § 28-319, § 28-319.91
Nevada	18	16	Yes	Pregnancy alone cannot establish "best interests."	A court can authorize marriage of parties under 16 in "extraordinary circumstances" but must find that "the marriage will serve the best interests of such person."	Nev. Rev. Stat. Ann. § 122.025	Annulment must occur within a year after the minor turns 18. Nev. Rev. Stat. § 125.320	16	N/A	Nev. Rev. Stat. § 200.364
New Hampshire	18	Males 14, Females 13	N/A	N/A	N/A	N.H. Rev. Stat. § 457-A:4, § 457-5	Annulment is available for any person married under age 18 but is limited if parental consent is given. N.H. Rev. Stat. § 457-5	16	4 Years	N.H. Rev. Stat. Ann. § 632-A:4



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New Jersey	18	16	Yes	N/A	N/A	N.J. Stat. Ann. 37:1-6	Lack of mutual assent, duress, or fraud can be grounds for nullification of marriage. N.J. Stat. Ann. 2A:34-1	16	4 Years	N.J. Stat. Ann. § 20:14-2
New Mexico	18	16	Yes	Yes	N/A	N.M. Stat. Ann. § 40-1-5, § 40-1-6	N/A	18 / 16	Criminal sexual penetration is perpetrated when the victim is over 13 but not yet 16 when the perpetrator is at least 18 and is at least four years older than the child and not the spouse of that child	N.M. Stat. Ann. § 30-9-11
New York	18	16	Yes (Minimum age 14)	N/A	N/A	N.Y. Dom. Rel. § 7, 15a	Marriage is void if party consented due to force, duress or fraud. N.Y. Dom. Rel. § 7	17	It is considered rape if the defendant is at least 21 years older and the victim is 17, or if the defendant is at least 18 and the victim is 15	N.Y. Penal Law § 130.05, 25, 30, 35
North Carolina	18	16	Yes (Minimum age 14)	Yes, but pregnancy alone cannot be determinative	"A district court judge may issue an order authorizing a marriage under this section only upon finding as fact and concluding as a matter of law that the underage party is capable of assuming the responsibilities of marriage and the marriage will serve the best interest of the underage party."	N.C. Gen. Stat. Ann. § 51-2	Annulment limited by post-marriage cohabitation and if children are conceived. N.C. Gen. Stat. Ann. § 51-3	16	4 Years	N.C. Gen. Stat. Ann. § 14-27.7A
North Dakota	18	16	N/A	N/A	N/A	N.D. Cent. Code Ann. § 14-03-02	N/A	18 / 15	"An adult who engages in or causes another to engage in a sexual act when the adult is at least twenty-two years of age and the victim is a minor fifteen years of age or older, is guilty of a class C felony."	N.D. Cent. Code Ann. § 12-1-20.01, § 12-1-20-03, § 12-1-20-05
Ohio	18	Male 18, Female 16	N/A	N/A	"If either applicant is under the age of eighteen years, the judge shall require the applicants to state that they received marriage counseling satisfactory to the court."	Ohio Rev. Code Ann. § 3101.01, § 3101.05	Annulment available if consent is obtained by force or party is under age of consent. Ohio Rev. Code Ann. § 3105.31	16	N/A	Ohio Rev. Code Ann. § 2907.04
Oklahoma	18	16	Yes, in case of pregnancy	Yes	N/A	Okla. Stat. tit. 43, § 3	Annulment only available if party was incapable of consenting. Okla. Stat. tit. 43, § 128	16	Persons age 14-16 can consent to sex as long as the defendant is under the age of 18.	Okla. Stat. tit. 21, § 1111, 1112
Oregon	18	17	N/A	N/A	N/A	Or. Rev. Stat. Ann. § 106.010 - § 106.060	If consent was obtained by force or fraud, marriage is voidable. Or. Rev. Stat. Ann. § 106.030	18	If the victim is at least 15 years of age or older, sexual intercourse is legal if the defendant is less than 3 years older than the victim.	Or. Rev. Stat. § 163.315, 345
Pennsylvania	18	16	Yes	N/A	"No marriage license may be issued if either of the applicants for a license is under 16 years of age unless the court decides that it is in the best interest of the applicant and authorizes the issuance of the license."	23 Pa. Cons. Stat. § 1304	Governed by 23 Pa. Cons. Stat. § 3303	16	4 Years	18 Pa. Cons. Stat. § 3122.1
Rhode Island	18	Male 18, Female 16	Yes, Judicial Consent	N/A	N/A	R.I. Gen. Laws Ann. § 15-2-11	N/A	16	If the victim is between 14-16, sex is consensual unless the defendant is over the age of 18.	R.I. Gen. Laws Ann. § 11-37-6
South Carolina	18	16	Yes, in case of pregnancy	Yes	N/A	S.C. Code Ann. § 20-1-100, 20-1-250, 20-1-300	Governed by S.C. Code Ann. § 20-1-100	16 / 14	"A person may not be convicted of a violation of the provisions of this item if he is eighteen years of age or less when he engages in consensual sexual conduct with another person who is at least fourteen years of age."	S.C. Code Ann. § 16-3-655
South Dakota	18	16	N/A	N/A	N/A	S.D. Codified Laws § 25-1-9	Limited by absence of parental consent and cohabitation with spouse. § 25-3-4	16	3 Years	S.D. Codified Laws § 22-22-1
Tennessee	18	16	N/A	N/A	N/A	Tenn. Code Ann. § 36-3-104 - §36-3-107	Marriages of minors under the age of 16 can be annulled. § 36-3-105	18 / 15	4 Years	Tenn. Code Ann. § 39-13-506
Texas	18	16	Yes	N/A	"If after a hearing the court, sitting without a jury, believes marriage to be in the best interest of the minor, the court, by order, shall grant the minor permission to marry."	Tex. Fam. Code Ann. § 2.101-2.103	Governed by Tex. Fam. Code Ann. § 6.102-6.104	17 / 14	3 Years	Tex. Penal Code Ann. § 22.011
Utah	18	16	Yes (Minimum age 15)	N/A	"Before issuing written authorization for a minor to marry, the judge of court commissioner shall determine: (i) that the minor is entering into the marriage voluntarily, and (ii) the marriage is in the best interests of the minor under the circumstances. (b) The judge or court commissioner shall require that both parties to the marriage complete premarital counseling."	Utah Code Ann. § 30-1-2, § 30-1-9	Utah Code Ann. § 30-1-17.1	16 / 18	Sexual conduct with a 16 or 17 year old is unlawful if the defendant is 10 or more years older than the victim.	Utah Code Ann. § 76-5-401, 76-5-401.2



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Vermont	18	16	N/A	N/A	N/A	Vt. Stat. Ann. tit. 18, § 5142	N/A	16	If the defendant is less than 19 years old and the victim is at least 15 years old, sex is consensual	Vt. Stat. Ann. tit. 13, § 3252
Virginia	18	16	Yes	Yes	N/A	Va. Code Ann. § 20-48, § 20-49	"A party who, at the time of such marriage as is mentioned in § 20-48 or § 20-49, was capable of consenting with a party not so capable, shall not be permitted to institute a suit for the purpose of annulling such marriage." (§ 20-89.1)	18 / 15	N/A	Va. Code Ann. § 18.2-63, § 18.2-371.
Washington	18	17	Yes, Judicial Consent	N/A	Marriage of minors not yet seventeen is void except where a county judge consents after a "hearing of necessity."	Wash. Rev. Code § 26.04.010	"When either party to a marriage shall be incapable of consenting thereto, for want of legal age or a sufficient understanding, or when the consent of either party shall be obtained by force or fraud, such marriage is voidable, but only at the suit of the party laboring under the disability, or upon whom the force or fraud is imposed." (26.04.130)	16	4 Years	Wash. Rev. Code § 9A.44.079
West Virginia	18	16	Yes	N/A	"to issue a license to an applicant under the age of sixteen if, in the court's discretion, the issuance of a license is in the best interest of the applicant and if consent is given by the parents or guardian"	W. Va. Code § 48-2-301	Marriage of minor under 16 is voidable but becomes ratified once reach the age of majority. (48-2-301)	16	4 Years	W. Va. Code § 61-8B-5
Wisconsin	18	16	N/A	N/A	N/A	Wis. Stat. Ann. § 765.02	Lack of capacity to consent due to age warrants an annulment. (767.313)	18	N/A	Wis. Stat. § 948.01, 948.09
Wyoming	18	16	Yes, Judicial Consent	N/A	N/A	Wyo. Stat. Ann. § 20-1-102	Marriage of minor under 16 is voidable, unless approved by judge. (20-1-102)	16/13	Range depending on age of victim and age of defendant. See Statutes.	Wyo. Stat. Ann. § 6-2-314, 315, 316, 317
Washington DC	18	16	N/A	N/A	N/A	D.C. Code § 46-403, § 46-411	Marriage of minor under age of 16 and when consent is procured by force or fraud (46-403, 404)	16	4 Years	D.C. Code § 22-3001, 3008, 3011

Prepared by Hannah Cartwright for Global Justice Initiative on August 21, 2011.
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