

STAND. COM. REP. NO.

725

Honolulu, Hawaii

FEB 11, 2025

RE: H.B. No. 729

H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Health, to which was referred H.B. No. 729
entitled:

"A BILL FOR AN ACT RELATING TO MARRIAGE OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to end child marriage in
Hawaii by:

- (1) Raising the minimum age for marriage from sixteen to
eighteen;
- (2) Repealing the authority of parents and the Family Court
to consent to a minor's marriage; and
- (3) Repealing spousal cohabitation after the parties attain
legal age as an exception for an annulment based on
nonage.

Your Committee received testimony in support of this measure
from the Hawaii State Commission on the Status of Women; Kauai
County Committee on the Status of Women; Zonta Club of Hilo;
Unchained At Last; Service Women's Action Network; Zonta
International USA Caucus; Protect Our Defenders; Equality Now;
Zonta Club of Hilo Foundation; AHA Foundation; American Atheists;
a petition signed by twenty-four individuals; and numerous

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individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Health; and Department of Human Services.

Your Committee finds that there is growing national and international recognition that child marriage is a human rights violation. A child entering into a marriage has not reached the threshold of adulthood that grants certain rights and responsibilities and may have been pressured or coerced into marrying, especially if the marriage is because the child is pregnant or the result of sex trafficking. Girls are disproportionately affected by the practice of a child marriage, with the vast majority of marriages occurring between a minor female and an adult male. In Hawaii, of the approximately eight hundred child marriages that have taken place in the State since 2000, eighty percent of these marriages were minor females marrying adult men. Your Committee further finds that as of 2018, thirteen states and two territories have banned child marriage in their jurisdictions. Your Committee believes that ending child marriage in Hawaii will protect vulnerable minors from being coerced into marriages they do not want and cannot fully consent to.

Your Committee has amended this measure by:

- (1) Repealing language in the Uniform Guardianship and Protective Proceedings Act that empowered a guardian of a minor to consent to the marriage of the minor;
- (2) Amending the Penal Code to remove exceptions to sexual assault offenses if the person who committed the offense was legally married to the minor;
- (3) Inserting a savings clause;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No.



729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 729, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on behalf of the members of the Committee on Health,



GREGG MIYAMA, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: HB 729	Committee Referral: HLT, JHA	Date: Feb 5, 2023		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKAYAMA, Gregg (C)	X			
2. KEOHOKAPU-LEE LOY, Sue L. (VC)	X			
3. AMATO, Terez	X			
4. CHUN, Cory M.	X			
5. MARTEN, Lisa	X			
6. OLDS, Ikaika	X			
7. TAKENOUCI, Jenna	X			
8. ALCOS III, David	X			
9. GARCIA, Diamond				X
TOTAL (9)	8			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				