

STAND. COM. REP. NO. 1054

Honolulu, Hawaii
FEB 28 , 2025

RE: H.B. No. 729
H.D. 2

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

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 729, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Raise the minimum age to enter into marriage from sixteen to eighteen years of age;
- (2) Repeal the authority of parents and the family court to consent to a minor's marriage;
- (3) Repeal spousal cohabitation after the parties attain legal age as an exception for an annulment based on nonage; and
- (4) Repeal exemptions for sexual assault of a minor if the perpetrator is married to the minor.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women; Zonta Club of Hilo Foundation; Unchained At Last; Service Women's Action Network; Protect Our Defenders; Zonta International USA Caucus; Zonta Club of Kauai; AHA Foundation; American Atheists; a petition

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signed by twenty-four individuals; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health; Department of Human Services; and Sex Abuse Treatment Center.

Your Committee finds that child marriage is increasingly recognized as a human rights violation that disproportionately impacts young girls and undermines their social and economic well-being. Despite defining minors as individuals under eighteen, Hawaii law currently permits marriage as young as sixteen years of age, with judicial approval allowing marriage at fifteen. This discrepancy is particularly concerning given that Hawaii's sexual assault laws otherwise criminalize sexual conduct with minors under sixteen. This measure aligns Hawaii with other states that have already enacted protections that ensure that both parties to a marriage are at least eighteen years of age.

Your Committee has amended this measure by 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 729, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 729, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 729 HD1	Committee Referral: HLT, JHA	Date: 02/19/2025		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle	M			✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris	✓			
10. GARCIA, Diamond		✓		
11. SHIMIZU, Garner M.	✓			
TOTAL (11)	9	1	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
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