
A BILL FOR AN ACT

RELATING TO MARRIAGE LICENSE FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that existing law
2 mandates the department of health to establish the statewide
3 birth defects program to collect surveillance information on
4 birth defects; report the incidence, trends, and causes of birth
5 defects; and report information for the development of
6 prevention strategies to reduce the incidence of birth defects.

7 Approximately 4.5 per cent of Hawaii births have a major
8 structural or genetic birth defect. Birth defects may result in
9 serious illness, developmental delays, long-term disability, or
10 death and may cause an increased need for health, education, or
11 social services.

12 The Hawaii birth defects program has been supported by a
13 fee of \$10 per marriage license since 2002. However, the
14 program's salary and fringe expenses have almost doubled between
15 2002 and 2019. Without additional funding, the program will not
16 have sufficient funding for operating expenses beginning fiscal
17 year 2020-2021. Increasing the revenue for the birth defects



1 special fund will ensure that the program fulfills its mandated
2 responsibilities.

3 Furthermore, the current compensation for non-civil service
4 marriage license agents, who are appointed by the department of
5 health, is \$9 per license. This amount has not changed since
6 1998 and is not sufficient to meet the current operating costs
7 of marriage license agents.

8 The purpose of this Act is to increase the marriage license
9 fee to support the Hawaii birth defects program and more fairly
10 compensate marriage license agents.

11 SECTION 2. Section 572-5, Hawaii Revised Statutes, is
12 amended by amending subsections (a) and (b) to read as follows:

13 "(a) The department of health shall appoint, and at its
14 pleasure remove, one or more suitable persons as agents
15 authorized to grant marriage licenses under this chapter in each
16 judicial circuit. The agents may issue licenses from any state
17 facility when deemed necessary by the director. Any agent
18 appointed under this subsection and receiving an application for
19 a marriage license shall collect from the applicant for the
20 license [~~\$60~~] \$ _____, of which the agent, except those
21 provided for in subsection (b), shall retain [~~\$9~~] \$ _____



1 for the agent's benefit and compensation and shall remit [~~\$51~~]
2 \$ _____ to the director of health. Upon the receipt of
3 remittances under this subsection, the director of health shall
4 deposit:

- 5 (1) [~~\$32~~] \$ _____ for each license issued to the
6 credit of the general fund of the State;
- 7 (2) [~~\$4.50~~] \$ _____ for each license issued to the
8 credit of the spouse and child abuse special fund
9 established under section 346-7.5;
- 10 (3) [~~\$4.50~~] \$ _____ for each license issued to the
11 credit of the spouse and child abuse special account
12 established under section 601-3.6; and
- 13 (4) [~~\$10~~] \$ _____ for each license issued to the
14 credit of the birth defects special fund established
15 under section 321-426.

16 (b) The department may appoint, as regular employees under
17 the civil service and classification laws, the number of
18 suitable persons as agents authorized to grant marriage licenses
19 for whom provision has been made in the general appropriation
20 act. In the case of these agents, the full amount collected
21 from applicants shall be remitted to the director of health.



1 Upon the receipt of remittances under this subsection, the
2 director of health shall deposit:

- 3 (1) [~~\$41~~] \$ _____ for each license issued to the
4 credit of the general fund of the State;
- 5 (2) [~~\$4.50~~] \$ _____ for each license issued to the
6 credit of the spouse and child abuse special fund
7 established under section 346-7.5;
- 8 (3) [~~\$4.50~~] \$ _____ for each license issued to the
9 credit of the spouse and child abuse special account
10 established under section 601-3.6; and
- 11 (4) [~~\$10~~] \$ _____ for each license issued to the
12 credit of the birth defects special fund established
13 under section 321-426.

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect on July 1, 2060.



S.B. NO. 1144
S.D. 2
H.D. 1

Report Title:

Marriage License Fee; Birth Defects Program; Birth Defects Special Fund; Spouse and Child Abuse Special Fund; Spouse and Child Abuse Special Account

Description:

Increases the marriage license application fee to support the Hawaii birth defects program and operating costs of marriage license agents. Amends remittances of the increased fee to various special funds and accounts in unspecified amounts. Effective 7/1/2060. (HD1)

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