



**GOV. MSG. NO. 1339**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 6, 2021

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirty First State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty First State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 6, 2021, the following bill was signed into law:

SB0157 HD1 CD1

RELATING TO LICENSING.  
**ACT 211 (21)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

---

# A BILL FOR AN ACT

RELATING TO LICENSING.

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

1           SECTION 1. The legislature finds that marriage in the  
2 United States is a civil institution and the right to marry  
3 belongs to citizens without regard to their moral beliefs or  
4 religious creed. However, apart from justices, judges, or  
5 magistrates, state law requires a marriage officiant to be  
6 affiliated with or ordained by a religious denomination or  
7 society. While those with a religious affiliation may have  
8 their trusted pastor or minister officiate their wedding, those  
9 without a religious affiliation are legally unable to have a  
10 trusted friend or mentor officiate their wedding.

11           The purpose of this Act is to broaden who may solemnize  
12 marriage by authorizing the issuance of civil licenses and  
13 allowing this rite to be performed by persons without requiring  
14 a religious affiliation for those families who may not share  
15 one.

16           SECTION 2. Section 572-12, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "§572-12 By whom solemnized. (a) A license to solemnize  
2 marriages may be issued to, and the marriage rite may be  
3 performed and solemnized by [any]:

4           (1) Any minister, priest, or officer of any religious  
5           denomination or society who has been ordained or is  
6           authorized to solemnize marriages according to the  
7           usages of [~~such~~] that denomination or society [~~, or~~  
8           any];

9           (2) Any religious society not having clergy but providing  
10           solemnization in accordance with the rules and customs  
11           of that society [~~, or any~~]; or

12           (3) Any justice or judge or magistrate, active or retired,  
13           of a state or federal court in the State,  
14 upon presentation to [~~such~~] the person or society solemnizing  
15 the marriage of a license to marry, as prescribed by this  
16 chapter. [~~Such~~] A person or society licensed to solemnize a  
17 marriage may receive the price stipulated by the parties or [~~the~~  
18 ~~gratification~~] any gratuity tendered.

19           (b) A civil license to solemnize marriages may be issued  
20 to, and the marriage rite may be performed and solemnized by,  
21 any individual at least eighteen years of age, upon presentation



1 to the individual of a license to marry, as prescribed by this  
2 chapter. An individual with a civil license to solemnize a  
3 marriage may receive the price stipulated by the parties or any  
4 gratuity tendered. The civil license shall be valid for no less  
5 than two years from the date of its issuance; provided that a  
6 temporary three-month civil license may be issued upon an  
7 individual's request. The fee for a civil license shall be \$100  
8 per year the permit is valid; provided that the fee for a  
9 temporary three-month license shall be \$25. An individual who  
10 performs a solemnization of a marriage pursuant to a civil  
11 license issued under this subsection shall obtain the prior  
12 written consent of each person for whom a solemnization is  
13 performed and fulfill all provisions of sections 572-13  
14 and 572-15 applicable to persons authorized to solemnize  
15 marriages."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 06 day of JUL , 2021




GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: April 27, 2021  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.

  
President of the Senate

  
Clerk of the Senate

SB No. 157, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives