

JAN 19 2022

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. This Act amends existing law to create a
2 category of "civil celebrants" that allows secular practitioners
3 to solemnize marriage in the State, thereby ensuring equal
4 treatment between religious and secular practitioners in regard
5 to the rite of marriage.

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

8 "§572-12 By whom solemnized. (a) A license to solemnize
9 marriages may be issued to, and the marriage rite may be
10 performed and solemnized by:

11 (1) Any minister, priest, or officer of any religious
12 denomination or society who has been ordained or is
13 authorized to solemnize marriages according to the
14 usages of that denomination or society;

15 (2) Any religious society not having clergy but providing
16 solemnization in accordance with the rules and customs
17 of that society; [e]



1 (3) Any justice or judge or magistrate, active or retired,
2 of a state or federal court in the State[7]; or

3 (4) Any civil celebrant,
4 upon presentation to the person or society solemnizing the
5 marriage of a license to marry, as prescribed by this chapter.

6 A person or society licensed to solemnize a marriage may receive
7 the price stipulated by the parties or any gratuity tendered.

8 (b) A civil license to solemnize marriages may be issued
9 to, and the marriage rite may be performed and solemnized by,
10 any individual at least eighteen years of age, upon presentation
11 to the individual of a license to marry, as prescribed by this
12 chapter. An individual with a civil license to solemnize a
13 marriage may receive the price stipulated by the parties or any
14 gratuity tendered. The civil license shall be valid for [nø]
15 not less than two years from the date of its issuance; provided
16 that a temporary three-month civil license may be issued upon an
17 individual's request. The fee for a civil license shall be \$100
18 per year the permit is valid; provided that the fee for a
19 temporary three-month license shall be \$25. An individual who
20 performs a solemnization of a marriage pursuant to a civil
21 license issued under this subsection shall obtain the prior



1 written consent of each person for whom a solemnization is
2 performed and fulfill all provisions of sections 572-13 and
3 572-15 applicable to persons authorized to solemnize marriages.

4 (c) As used in this section, "civil celebrant" means a
5 person of a secular or non-religious organization who has
6 received the consent of the parties to be married."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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

10

INTRODUCED BY:  _____



S.B. NO. 2036

Report Title:

Secular Marriage Solemnization

Description:

Authorizes issuance of licenses to solemnize marriage for persons of a secular or non-religious organization.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

