

JAN 26 2022

A BILL FOR AN ACT

RELATING TO MARRIAGE LICENSES.

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

1 SECTION 1. The legislature finds that Act 211, Session
2 Laws of Hawaii 2021, authorized the issuance of a civil license
3 to solemnize marriages. Prior to enactment, only individuals
4 with religious affiliations or judicial appointments could
5 obtain a license to solemnize marriages.

6 Act 211, Session Laws of Hawaii 2021, also established fees
7 for a civil license to solemnize marriages, the intent of which
8 was to enhance general revenues from approximately 20,000
9 marriages per year, two-thirds of which are for out-of-state and
10 international couples. However, there are no fees for licenses
11 to solemnize marriages for to apply for the religious and
12 judicial marriage solemnizers.

13 The purpose of this Act is to repeal wording related to
14 fees to assure equity among religious, judicial, and civil
15 performers.

S.B. NO. 3114

1 SECTION 2. Section 572-12, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) A civil license to solemnize marriages may be issued
4 to, and the marriage rite may be performed and solemnized by,
5 any individual at least eighteen years of age, upon presentation
6 to the individual of a license to marry, as prescribed by this
7 chapter. An individual with a civil license to solemnize a
8 marriage may receive the price stipulated by the parties or any
9 gratuity tendered. [~~The civil license shall be valid for no
10 less than two years from the date of its issuance; provided that
11 a temporary three month civil license may be issued upon an
12 individual's request. The fee for a civil license shall be \$100
13 per year the permit is valid; provided that the fee for a
14 temporary three month license shall be \$25.] An individual who
15 performs a solemnization of a marriage pursuant to a civil
16 license issued under this subsection shall obtain the prior
17 written consent of each person for whom a solemnization is
18 performed and fulfill all provisions of sections 572-13 and
19 572-15 applicable to persons authorized to solemnize marriages."~~

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken.

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

S.B. NO. 3114

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INTRODUCED BY: *M. N. M.*
BY REQUEST

S.B. NO. 3114

Report Title:

Marriage; License to Solemnize; Repeal fees.

Description:

Repeals fees related to obtaining a license to solemnize civil marriage ceremonies to conform to requirements of religious and judicial marriage performers.

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

JUSTIFICATION SHEET

SB. NO. 3114

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO MARRIAGE
LICENSES.

PURPOSE: Repeals the fee required for the issuance of
a civil license to solemnize a marriage.

MEANS: Amend section 572-12, Hawaii Revised
Statutes.

JUSTIFICATION: Act 211, Session Laws of Hawaii 2021,
established fees for a civil license to
solemnize a marriage of \$100 for one year
and \$25 for three months. However, there is
no statutorily established fee for religious
or judicial performers to acquire a license.
Repeal of the civil license fee will
establish fairness and parity among license
types.

Impact on the public: Equitable terms to
acquire a license to solemnize marriages.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HTH 760.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: July 1, 2022.