

JAN 24 2024

A BILL FOR AN ACT

RELATING TO LICENSING.

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

1 SECTION 1. Section 572-6, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) To secure a license to marry, the persons applying
4 for the license shall appear [~~personally~~] in-person or by
5 synchronous online access as authorized by the department of
6 health in rules adopted pursuant to chapter 91, before an agent
7 authorized to grant marriage licenses and shall file with the
8 agent an application in writing. The application shall be
9 accompanied by a statement signed and sworn to by each of the
10 persons, setting forth: the person's full name, date of birth,
11 social security number, residence; their relationship, if any;
12 the full names of parents; and that all prior marriages or civil
13 unions, if any, other than an existing civil union between the
14 persons applying for the marriage license, have been dissolved
15 by death or dissolution. If all prior marriages or civil
16 unions, other than an existing civil union between the persons
17 applying for the marriage license, have been dissolved by death
18 or dissolution, the statement shall also set forth the date of

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1 death of the last prior spouse or the date and jurisdiction in
2 which the last decree of dissolution was entered. Any other
3 information consistent with the standard marriage certificate,
4 as recommended by the Public Health Service, National Center for
5 Health Statistics, may be requested for statistical or other
6 purposes, subject to approval of and modification by the
7 department of health; provided that the information shall be
8 provided at the option of the applicant and no applicant shall
9 be denied a license for failure to provide the information. The
10 agent shall endorse on the application, over the agent's
11 signature, the date of the filing thereof and shall issue a
12 license which shall bear on its face the date of issuance.
13 Every license shall be of full force and effect for thirty days
14 commencing from and including the date of issuance. After the
15 thirty-day period, the license shall become void and no marriage
16 ceremony shall be performed thereon."

17 SECTION 2. Section 572B-6, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) No license for a civil union may be issued by an
20 agent until both applicants have appeared in-person or by
21 synchronous online access as authorized by the department of
22 health in rules adopted pursuant to chapter 91, before the agent

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1 and applied for the license. The application for the license
2 shall be completed in its entirety, dated, signed, and sworn to
3 by each applicant and shall state each applicant's full name,
4 date of birth, birthplace, residence, social security number,
5 whether single, widowed, or divorced, and whether the applicant
6 is under the supervision or control of a conservator or
7 guardian. If the application is signed and sworn to by the
8 applicants on different dates, the earlier date shall be deemed
9 the date of the application. [~~The agent shall issue a copy of
10 this chapter to any person applying for a license.~~]"

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



16

BY REQUEST

S.B. NO. 3124

Report Title:

Marriage Licenses; Civil Union Licenses; Online Access.

Description:

Authorizes the Director of Health to permit online access to apply for marriage and civil union licenses in lieu of in-person applications, as specified in rules adopted pursuant to chapter 91, Hawaii Revised Statutes.

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

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO LICENSING.

PURPOSE: To authorize applicants for marriage or civil union licenses to apply via synchronous online access as authorized by rules adopted by the Department.

MEANS: Amend sections 572-6 and 576B-6, Hawaii Revised Statutes.

JUSTIFICATION: Current law requires couples to appear in-person before an agent authorized to grant marriage and civil union licenses. An emergency proclamation during the COVID-19 pandemic authorized online issuance of marriage and civil union licenses which was found to be efficient, effective, and convenient for Department staff and customers. Permanently authorizing an online option increases access to government services via the Internet with minimal additional burdens or risks.

Impact on the public: Increased access to core government services.

Impact on the department and other agencies: Revision of web site guidance, security and technology assessments, promulgation of administrative rules, and implementation of an appointment system.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HTH-760.

OTHER AFFECTED AGENCIES: N/A.

EFFECTIVE DATE: Upon approval.