

STAND. COM. REP. NO.

725

Honolulu, Hawaii

FEB 11 , 2025

RE: H.B. No. 729

H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Madame:

Your Committee on Health, to which was referred H.B. No. 729  
entitled:

"A BILL FOR AN ACT RELATING TO MARRIAGE OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to end child marriage in  
Hawaii by:

- (1) Raising the minimum age for marriage from sixteen to  
eighteen;
- (2) Repealing the authority of parents and the Family Court  
to consent to a minor's marriage; and
- (3) Repealing spousal cohabitation after the parties attain  
legal age as an exception for an annulment based on  
nonage.

Your Committee received testimony in support of this measure  
from the Hawaii State Commission on the Status of Women; Kauai  
County Committee on the Status of Women; Zonta Club of Hilo;  
Unchained At Last; Service Women's Action Network; Zonta  
International USA Caucus; Protect Our Defenders; Equality Now;  
Zonta Club of Hilo Foundation; AHA Foundation; American Atheists;  
a petition signed by twenty-four individuals; and numerous



individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Health; and Department of Human Services.

Your Committee finds that there is growing national and international recognition that child marriage is a human rights violation. A child entering into a marriage has not reached the threshold of adulthood that grants certain rights and responsibilities and may have been pressured or coerced into marrying, especially if the marriage is because the child is pregnant or the result of sex trafficking. Girls are disproportionately affected by the practice of a child marriage, with the vast majority of marriages occurring between a minor female and an adult male. In Hawaii, of the approximately eight hundred child marriages that have taken place in the State since 2000, eighty percent of these marriages were minor females marrying adult men. Your Committee further finds that as of 2018, thirteen states and two territories have banned child marriage in their jurisdictions. Your Committee believes that ending child marriage in Hawaii will protect vulnerable minors from being coerced into marriages they do not want and cannot fully consent to.

Your Committee has amended this measure by:

- (1) Repealing language in the Uniform Guardianship and Protective Proceedings Act that empowered a guardian of a minor to consent to the marriage of the minor;
- (2) Amending the Penal Code to remove exceptions to sexual assault offenses if the person who committed the offense was legally married to the minor;
- (3) Inserting a savings clause;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No.



729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 729, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
\_\_\_\_\_  
GREGG MIYAYAMA, Chair



Hscr 325

<b>Bill/Resolution No.:</b> <div style="font-size: 1.5em; font-family: cursive;">HB 729</div>	<b>Committee Referral:</b> <div style="font-size: 1.5em; font-family: cursive;">HLT, JHA</div>	<b>Date:</b> <div style="font-size: 1.5em; font-family: cursive;">Feb 22 2023</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>HLT Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. TAKAYAMA, Gregg (C)	X			
2. KEOHOKAPU-LEE LOY, Sue L. (VC)	X			
3. AMATO, Terez	X			
4. CHUN, Cory M.	X			
5. MARTEN, Lisa	X			
6. OLDS, Ikaika	X			
7. TAKENOUCI, Jenna	X			
8. ALCOS III, David	X			
9. GARCIA, Diamond				X
<b>TOTAL (9)</b>	8			1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> <div style="font-size: 1.2em; font-family: cursive;">[Signature]</div>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				