STAND. COM. REP. NO. 1054

Honolulu, Hawaii

FEB 28 , 2025

H.B. No. 729 RE: H.D. 2

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

## Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 729, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Raise the minimum age to enter into marriage from sixteen to eighteen years of age;
- (2) Repeal the authority of parents and the family court to consent to a minor's marriage;
- Repeal spousal cohabitation after the parties attain legal age as an exception for an annulment based on nonage; and
- (4) Repeal exemptions for sexual assault of a minor if the perpetrator is married to the minor.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women; Zonta Club of Hilo Foundation; Unchained At Last; Service Women's Action Network; Protect Our Defenders; Zonta International USA Caucus; Zonta Club of Kauai; AHA Foundation; American Atheists; a petition

2025-2001 HB729 HD2 HSCR HMSO  signed by twenty-four individuals; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health; Department of Human Services; and Sex Abuse Treatment Center.

Your Committee finds that child marriage is increasingly recognized as a human rights violation that disproportionately impacts young girls and undermines their social and economic wellbeing. Despite defining minors as individuals under eighteen, Hawaii law currently permits marriage as young as sixteen years of age, with judicial approval allowing marriage at fifteen. This discrepancy is particularly concerning given that Hawaii's sexual assault laws otherwise criminalize sexual conduct with minors under sixteen. This measure aligns Hawaii with other states that have already enacted protections that ensure that both parties to a marriage are at least eighteen years of age.

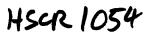
Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 729, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 729, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

## State of Hawaii House of Representatives The Thirty-third Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 729 HD I	Committee Referral: HLT, JHA		Date: 02/19/2025		
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. TARNAS, David A. (C)	<b></b>				
2. POEPOE, Mahina (VC)				Marie Andrews	
2. TOETOE, Walling (VC)					
3. BELATTI, Della Au			A SUMPLE SERVICE SERVI		
		5112 21.54			
4. COCHRAN, Elle	m (W)				
5. HASHEM, Mark J.					
6. KAHALOA, Kirstin		22 20 20 20 20 20 20 20 20 20 20 20 20 2		ME 32 - 27 507 (ANNW 1941) - 21 21 22 200	
7. PERRUSO, Amy A.					
7. PERRUSO, Amy A.		TOTAL CELEBRATION			
8. TAKAYAMA, Gregg			57 E		
			Constitution in the consti		
9. TODD, Chris					
10. GARCIA, Diamond				in a state of the	
11. SHIMIZU, Garner M.					
TOTAL (11)	9	1	7)		
The recommendation is:  Adopted If joint referral, did not support recommendation.  committee acronym(s)					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					