

ACT 31

H.B. NO. 2190-74

A Bill for an Act Relating to Marriage Licenses, Solemnization, and Certification.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 572-6, Hawaii Revised Statutes, is amended to read:

‘Sec. 572-6 Application; license; limitations. In order to secure a license to marry, the persons applying therefor shall appear personally before an agent authorized to grant marriage licenses and shall file with him an application in writing. The application shall be accompanied by a statement signed and sworn to by each of the persons, setting forth: his or her full name, age, race, residence, occupation, if any; their relationship, if any; the full names of parents, and whether living or dead; whether previously married and the manner of the dissolution of the prior marriage or marriages; any other items required by the standard marriage certificate as recommended by the public health service, national center for health statistics, subject to approval of and modification by the department of health. The agent shall indorse on the application, over his signature, the date of the filing thereof and shall issue a license which shall bear on its face the date of issuance. Every license shall be of full force and effect for thirty days commencing from and including the date of issuance. After the thirty-day period, the license shall become void and no marriage ceremony shall be performed thereon.

It shall be the duty of every person, legally authorized to grant licenses to marry, to immediately report the issuance of every marriage license to the agent of the department of health in the district in which the license is issued,

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setting forth all facts required to be stated in such manner and on such form as the department may prescribe.”

SECTION 2. Section 572-13, Hawaii Revised Statutes, is amended to read:

“Sec. 572-13 Record of solemnization; marriages, reported by whom; certified copies. (a) Record keeping. Every person authorized to solemnize marriage shall make and preserve a record of every marriage by him solemnized, comprising the names of the man and woman married, their place of residence, and the date of their marriage.

Every person authorized to solemnize marriage, who neglects to keep a record of any marriage by him solemnized shall be fined \$50.

(b) Marriages, reported by whom. It shall be the duty of every person, legally authorized to perform the marriage ceremony, to immediately report every marriage ceremony, performed by him, to the agent of the department of health in the district in which the marriage takes place setting forth all facts required to be stated in a standard certificate of marriage, the form and contents of which shall be prescribed by the department of health.

(c) Certified copies of certificate of marriage. The department of health shall deliver one certified copy of the certificate of marriage to the persons married. The certificate shall be prima facie evidence of the fact of marriage in any proceeding in any court.

The department of health shall upon request, furnish to any applicant additional certified copies of the certificate of marriage or any part thereof.

Copies of the contents of any certificate on file in the department, certified by the department shall be considered for all purposes the same as the original.

The department may prescribe reasonable fees, if any, to be paid for certified copies of certificates.”

SECTION 3. Section 572-14, Hawaii Revised Statutes, is repealed.

SECTION 4. Section 338-26, Hawaii Revised Statutes, is repealed.

SECTION 5. Section 338-27, Hawaii Revised Statutes, is repealed.

SECTION 6. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 7. This Act shall take effect upon its approval.

(Approved May 24, 1974.)

*Edited accordingly.