

HOUSE OF REPRESENTATIVES

AMENDMENT TO: S.B. No. 1, H.D. 1

OFFERED BY: 

DATE: 11/8/13

SECTION 1. Section 3 of Senate Bill No. 1, H.D. 1, is amended to read as follows:

"SECTION 3. Section 572-1, Hawaii Revised Statutes, is amended to read as follows:

"**§572-1 Requisites of valid marriage contract.** In order to make valid the marriage contract, which shall be [~~only between a man and a woman,~~] permitted between two individuals without regard to gender, it shall be necessary that:

- (1) The respective parties do not stand in relation to each other of ancestor and descendant of any degree whatsoever, [~~brother and sister~~] two siblings of the half as well as to the whole blood, uncle and niece, uncle and nephew, aunt and nephew, or aunt and niece, whether the relationship is the result of the issue of parents married or not married to each other or partners in a civil union or not partners in a civil union;
- (2) Each of the parties at the time of contracting the marriage is at least sixteen years of age; provided that with the written approval of the family court of the circuit within which the minor resides, it shall be lawful for a person under the age of sixteen years, but in no event under the age of fifteen years, to marry, subject to section 572-2;
- (3) [~~The man does not at the time have any lawful wife or civil union partner living and that the woman does not at the time have any lawful husband or civil union partner living;~~] Neither party has at the time any living lawful wife, husband, civil union partner, reciprocal beneficiary, or domestic partner and is not party to any other legally recognized union with another living person, except as provided in section 572-A;

- (4) Consent of neither party to the marriage has been obtained by force, duress, or fraud;
- (5) Neither of the parties is a person afflicted with any loathsome disease concealed from, and unknown to, the other party;
- (6) The ~~[man and woman]~~ parties to be married in the State shall have duly obtained a license for that purpose from the agent appointed to grant marriage licenses; and
- (7) The marriage ceremony be performed in the State by a person or society with a valid license to solemnize marriages and the ~~[man and the woman]~~ parties to be married and the person performing the marriage ceremony be all physically present at the same place and time for the marriage ceremony.""

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CARRIED	FAILED TO CARRY	WITHDRAWN
<i>Brian H. Tidwell</i>		
CHIEF CLERK, HOUSE OF REPRESENTATIVES		