

STAND. COM. REP. NO. 634

Honolulu, Hawaii

March 3, 2011

RE: H.B. No. 1244
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1244 entitled:

"A BILL FOR AN ACT RELATING TO SOLEMNIZATION,"

begs leave to report as follows:

The purpose of this bill is to shield religious organizations and charitable organizations operated, supervised, or controlled by a religious institution or organization from criminal or civil liability for performing solemnizations of same-sex relationships, and from civil liability for refusing to provide services or accommodation related to the solemnization of same-sex unions.

Life of the Land, Hawaii Family Forum, Christian Counseling and Research Centers of America, and numerous individuals testified in support of this bill. The Democratic Party of Hawaii and several individuals supported the intent of this measure. The Hawaii Civil Rights Commission; Parents, Families and Friends of Lesbians, Gays, Transgendered, Bisexuals, Transgendered & Questioning - Oahu; the Women's Coalition; and many individuals opposed this bill. Numerous individuals offered comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the section of the bill which was repealed by Act 1, Session Laws of Hawaii 2011;

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- (2) Amending the circumstances where refusal to provide services related to the solemnization of same-sex relationships will not subject a religious institution or organization to civil liability to instances where a religious institution or organization refuses to provide services based on the religious institution or organization if the solemnization violates its religious beliefs or faith; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1244, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1244, H.D. 1, and be placed on the calendar for Third Reading.

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



GILBERT KEITH-AGARAN, Chair



