

S.B. NO. 2829

JAN 25 2012

A BILL FOR AN ACT

RELATING TO MARRIAGE LICENSE FEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 338-14.6, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) The fund shall consist of fees remitted pursuant to
4 ~~[section]~~ sections 338-14.5[-] and 572-5. All realizations of
5 the fund shall be subject to the conditions specified in
6 subsection (b)."

7 SECTION 2. Section 572-5, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) The department of health shall appoint, and at its
10 pleasure remove, one or more suitable persons as agents
11 authorized to grant marriage licenses under this chapter in each
12 judicial circuit. The agents may issue licenses from any state
13 facility when deemed necessary by the director. Any agent
14 appointed under this subsection and receiving an application for
15 a marriage license shall collect from the applicant for the
16 license [~~\$60-~~ \$100, of which the agent, except those provided
17 for in subsection (b), shall retain \$9 for the agent's benefit
18 and compensation and shall remit [~~\$51~~ \$91 to the director of

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1 health. Upon the receipt of remittances under this subsection,
2 the director of health shall deposit:

- 3 (1) \$32 for each license issued to the credit of the
4 general fund of the State;
- 5 (2) \$4.50 for each license issued to the credit of the
6 spouse and child abuse special account established
7 under section 346-7.5;
- 8 (3) \$4.50 for each license issued to the credit of the
9 spouse and child abuse special account established
10 under section 601-3.6; ~~and~~
- 11 (4) \$10 for each license issued to the credit of the birth
12 defects special fund established under section 321-
13 426 ~~[]~~; and
- 14 (5) \$40 for each license issued to the credit of the vital
15 statistics improvement special fund established under
16 section 338-14.6.

17 (b) The department may appoint, as regular employees under
18 the civil service and classification laws, the number of
19 suitable persons as agents authorized to grant marriage licenses
20 for whom provision has been made in the general appropriation
21 act. In the case of these agents, the full amount collected
22 from applicants shall be remitted to the director of health.

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Report Title:

Marriage Licenses; Fees

Description:

Raises the marriage license fee..

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JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO MARRIAGE LICENSE FEES.

PURPOSE: To adjust fees paid by the public for marriage licenses and to use the amount of the increase to support vital statistics operations.

MEANS: Amend sections 338-14.6(c) and 572-5(a) and (b) and Hawaii Revised Statutes.

JUSTIFICATION: The Department of Health is permitted to charge reasonable fees for certain permitting and licensing functions. Many fees, such as those for issuing marriage licenses, have not kept pace with operating expenses.

The fee for marriage licenses is currently \$60. It has not been adjusted since 1998 and at its current rate lags behind national averages. The proposed fee is \$100. The annual number of transactions for marriage licenses is approximately 20,000 - 25,000 so the potential additional annual yield is \$1,000,000 (20,000 to 25,000 times the \$40 increase).

The Department of Health proposes that the increase only, i.e. \$40, be allocated specifically to support vital statistic and marriage license operations. All other funds benefiting from marriage licenses fees would be unaffected.

GENERAL FUND: None.

OTHER FUNDS: \$1,000,000 annually to the Vital Statistics Improvement Special Fund.

PPBS PROGRAM DESIGNATION: None.

OTHER AFFECTED

AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.