
A BILL FOR AN ACT

RELATING TO MARRIAGE LICENSES.

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

1 SECTION 1. The legislature finds that Act 211, Session
2 Laws of Hawaii 2021, authorized the issuance of a civil license
3 to solemnize marriages. Before enactment, only individuals with
4 religious affiliations or judicial appointments could obtain a
5 license to solemnize marriages.

6 Act 211, Session Laws of Hawaii 2021, also established fees
7 for a civil license to solemnize marriages, the intent of which
8 was to enhance general revenues from approximately twenty
9 thousand marriages per year, two-thirds of which are for out-of-
10 state and international couples. However, there are no fees for
11 licenses to solemnize marriages for religious and judicial
12 marriage solemnizers.

13 The purpose of this Act is to:

- 14 (1) Establish a \$25 fee for all licenses to solemnize a
15 marriage to be deposited into the general fund;
16 (2) Allow the department of health to increase the fee,
17 subject to certain requirements;



(3) Require the department of health to account for the collection and deposit of the fee into the general fund; and

(4) Repeal the expiration of and fees specific to civil licenses to solemnize marriages.

SECTION 2. Section 572-11, Hawaii Revised Statutes, is amended to read as follows:

"§572-11 Marriage ceremony; license to solemnize[-]; fees.

(a) It shall not be lawful for any person to perform the marriage ceremony within the State without first obtaining from the department of health a license to solemnize marriages.

(b) The fee for any license to solemnize a marriage shall be \$25 per year to be deposited into the general fund.

(c) The department of health may increase the fee established under subsection (b) in accordance with chapter 91; provided that the department of health may increase the fee up to ten per cent each year without being subject to chapter 91. In establishing a fee, the amount shall be sufficient to cover the expenses of maintaining, improving, and modernizing the issuance of licenses to solemnize marriages.



1 (d) The department of health shall keep an account of all
2 fees collected and deposited into the general fund pursuant to
3 this section."

4 SECTION 3. Section 572-12, Hawaii Revised Statutes, is
5 amended by amending subsection (b) to read as follows:

6 "(b) A civil license to solemnize marriages may be issued
7 to, and the marriage rite may be performed and solemnized by,
8 any individual at least eighteen years of age, upon presentation
9 to the individual of a license to marry, as prescribed by this
10 chapter. An individual with a civil license to solemnize a
11 marriage may receive the price stipulated by the parties or any
12 gratuity tendered. ~~[The civil license shall be valid for no~~
13 ~~less than two years from the date of its issuance; provided that~~
14 ~~a temporary three-month civil license may be issued upon an~~
15 ~~individual's request. The fee for a civil license shall be \$100~~
16 ~~per year the permit is valid; provided that the fee for a~~
17 ~~temporary three-month license shall be \$25.]~~ An individual who
18 performs a solemnization of a marriage pursuant to a civil
19 license issued under this subsection shall obtain the prior
20 written consent of each person for whom a solemnization is



1 performed and fulfill all provisions of sections 572-13 and
2 572-15 applicable to persons authorized to solemnize marriages."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect upon its approval.

6



Report Title:

Marriage; License to Solemnize; Fees

Description:

Establishes a fee for all licenses to solemnize a marriage.
Allows DOH to increase the fee, subject to certain requirements.
Requires DOH to account for the collection and deposit of the
fee. Repeals the expiration of and fees specific to civil
licenses to solemnize marriages. (HD1)

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