<u>S</u>.B. NO. <u>3114</u>

JAN 2 6 2022

A BILL FOR AN ACT

RELATING TO MARRIAGE LICENSES.

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

SECTION 1. The legislature finds that Act 211, Session
Laws of Hawaii 2021, authorized the issuance of a civil license
to solemnize marriages. Prior to enactment, only individuals
with religious affiliations or judicial appointments could
obtain a 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 20,000 9 marriages per year, two-thirds of which are for out-of-state and 10 international couples. However, there are no fees for licenses 11 to solemnize marriages for to apply for the religious and 12 judicial marriage solemnizers.

13 The purpose of this Act is to repeal wording related to 14 fees to assure equity among religious, judicial, and civil 15 performers.

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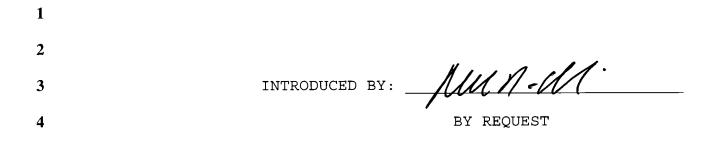
SECTION 2. Section 572-12, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

3 "(b) A civil license to solemnize marriages may be issued 4 to, and the marriage rite may be performed and solemnized by, 5 any individual at least eighteen years of age, upon presentation 6 to the individual of a license to marry, as prescribed by this 7 chapter. An individual with a civil license to solemnize a 8 marriage may receive the price stipulated by the parties or any 9 gratuity tendered. [The civil license shall be valid for no 10 less than two years from the date of its issuance; provided that 11 a temporary three-month civil license may be issued upon an 12 individual's request. The fee for a civil license shall be \$100 13 per year the permit is valid; provided that the fee for a 14 temporary-three-month license shall be \$25.] An individual who 15 performs a solemnization of a marriage pursuant to a civil 16 license issued under this subsection shall obtain the prior 17 written consent of each person for whom a solemnization is 18 performed and fulfill all provisions of sections 572-13 and 19 572-15 applicable to persons authorized to solemnize marriages." 20 SECTION 3. Statutory material to be repealed is bracketed 21 and stricken.

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SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Marriage; License to Solemnize; Repeal fees.

Description:

Repeals fees related to obtaining a license to solemnize civil marriage ceremonies to conform to requirements of religious and judicial marriage performers.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

SB. NO. 3114

DEPARTMENT:	Health
TITLE:	A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES.
PURPOSE:	Repeals the fee required for the issuance of a civil license to solemnize a marriage.
MEANS:	Amend section 572-12, Hawaii Revised Statutes.
JUSTIFICATION:	Act 211, Session Laws of Hawaii 2021, established fees for a civil license to solemnize a marriage of \$100 for one year and \$25 for three months. However, there is no statutorily established fee for religious or judicial performers to acquire a license. Repeal of the civil license fee will establish fairness and parity among license types. <u>Impact on the public</u> : Equitable terms to acquire a license to solemnize marriages. Impact on the department and other agencies:
	None.
GENERAL FUND:	None.
OTHER FUNDS:	None.
PPBS PROGRAM DESIGNATION:	HTH 760.
OTHER AFFECTED AGENCIES:	None.
EFFECTIVE DATE:	July 1, 2022.