

Honolulu, Hawaii

MAR 23, 2022

RE: S.B. No. 2424
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 2424, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MARRIAGE OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to require that, when one of the parties to a marriage is a minor and the other party is more than five years older than the minor, the Child Protective Services Unit of the Department of Human Services investigate all parties to the marriage, including the prospective spouse and any person giving written consent to the minor's marriage, and report its findings to the Family Court before the court consents to the marriage and a license may be issued.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Rainbow Family 808, Hawaii Youth Services Network, AF3IRM Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from Unchained At Last, Tahirih Justice Center, and one individual. Your Committee received comments on this measure from the Department of Human Services and Department of Health.

Your Committee finds that there is growing recognition that child marriage is a human rights violation and a severe impediment



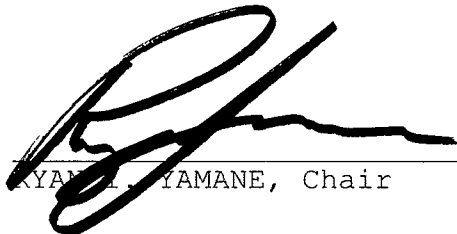
to social and economic development. There is additional concern that a child entering into marriage may have been pressured or coerced into marrying or the marriage may be the result of sex trafficking. Existing state law allows children as young as sixteen to marry, with a Family Court authorization required if the child is fifteen years of age. Comparatively, the State's sexual assault laws criminalize sexual conduct with a fifteen-year-old unless the fifteen-year-old is legally married to the sexual partner or the sexual partner is no more than five years older than the minor. This measure balances certain protections for children with existing law by requiring the Child Protective Services Unit to investigate all parties to a marriage and make a report of its findings to the Family Court prior to the issuance of a marriage license when one of the parties is a minor and the other party is more than five years older than the minor.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2424, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2424, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN L. YAMANE, Chair



