

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 279  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 279, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require that in the event that one of the respective parties to a marriage contract 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 shall investigate and report to the family court of the circuit in which the minor resides before the marriage is approved.

Your Committee received testimony in support of this measure from Unchained at Last and three individuals. Your Committee received testimony in opposition to this measure from Tahirih Justice Center. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawai'i's marriage laws currently permit minors to marry with parental or parental and judicial consent and is one of the remaining twenty-five states that has not passed any marriage age reforms. Between 2000 and 2010, over six hundred children were married in the State. This measure's preservation of Hawai'i's current minimum age of fifteen years old keeps the State as one of five nationwide that sets a statutory



age floor below sixteen. Additionally, your Committee finds that child marriage can severely limit opportunities and poses risks to health, education, and economic freedom as minors often lack the rights and resources of adults, making them more vulnerable to coercion, predation, and risk of experiencing violence. Minors may be forced to stay in marriage because they cannot easily leave home, enter a domestic violence shelter, retain an attorney, or bring legal action, including seeking a legal protection order.

Your Committee has amended this measure by:

- (1) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 279, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 279, S.D. 2.

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



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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 279 SD1	HTH, JDC	03/02/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike		✓		
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	6	1 <del>0</del>	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office              Drafting Agency              Committee File Copy				

\*Only one measure per Record of Votes