

STAND. COM. REP. NO.

2070

Honolulu, Hawaii

FEB 04 2022

RE: S.B. No. 3114  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 3114  
entitled:

"A BILL FOR AN ACT RELATING TO MARRIAGE LICENSES,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal fees  
related to obtaining a license to solemnize civil marriage  
ceremonies to assure equity among religious, judicial, and civil  
performers.

Your Committee received testimony in support of this measure  
from the Department of Health.

Your Committee finds that prior to the enactment of Act 211,  
Session Laws of Hawaii 2021 (Act 211), which authorizes the  
issuance of civil licenses to solemnize marriages, only  
individuals with religious affiliations or judicial appointments  
could obtain a license to solemnize marriages. Act 211 authorizes  
non-religious and non-judicial performers to solemnize marriages;  
however, it imposes a fee for civil licenses where none for  
religious and judicial licenses exists. Such a discrepancy could  
expose the State to liability for claims that the State is  
discriminating on the basis of religion. This measure creates  
equity among religious, judicial, and civil performers of marriage  
solemnization by eliminating the fee for civil licenses.



Your Committee has amended this measure by 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3114, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3114, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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



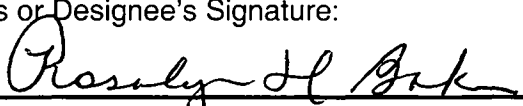
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JARRETT KEOHOKALOLE, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <b>SB 3114</b>	Committee Referral: <b>HTH, JDC</b>	Date: <b>1-31-2022</b>		
<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
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt		✓		
<b>TOTAL</b>	<b>4</b>	<b>1</b>	<b>—</b>	<b>—</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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