



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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**Testimony COMMENTING on HB485
RELATING TO MARRIAGE.**

REP. DELLA BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS

Hearing Date: Feb. 3, 2023

Room Number: 329

1 **Fiscal Implications:** Unspecified expense to update vital records systems.

2 **Department Testimony:** The Department of Health (DOH) discharges a ministerial role with
3 regard to vital records, which is to officially record and preserve certain major life events. The
4 department does not usually make determinations of factual accuracy for vital records, rather
5 accepting prima facie common life events like births, adoptions, deaths, and marriages that are
6 submitted from trusted sources.

7 The department is currently authorized to amend birth certificates for persons who have had
8 appropriate clinical treatment for gender transition as affirmed by a United States licensed
9 physician or physician assistant, pursuant to [section 338-17.7\(a\)\(4\), Hawaii Revised Statutes](#).

10 Doh offers the following comments and observations:

11 Sex vs Gender

12 HB485 appears to use “sex” and “gender” interchangeably. Sex, as recognized by the National
13 Center for Health Statistics, is defined by a series of biological markers: chromosomes, gametes,
14 reproductive organs, etc. Gender is a cultural construct governing social expectations of the
15 sexes that vary with time, place, historically and geographically. For purposes of this measure,
16 neither term should be used.

1 The current Hawaii marriage certificate identifies “groom” and “bride,” denoting a male and
2 female, respectively. HB485 may consider neutral terms, such as “Spouse #1” or “Partner #2,”
3 which is likely to achieve the desired effect with the least administrative burden and maximum
4 flexibility. Note that this would require adjustments to information management systems for
5 which there may be costs. Further research is required to determine the authority of DOH to
6 substitute neutral terms for terms that are sex- or gender-affiliated.

7 Issuance vs. Amendment

8 The department continues to research the relative value of “issuing” a new record, as proposed in
9 HB485, and “amending” an existing marriage certificate. Issuing a new marriage certificate that
10 shall not be marked as amended, closely but not exactly follows the process for amending the sex
11 identifier on a Hawaii birth certificate pursuant to section 338-17(2)(4), HRS. Amending a birth
12 certificate generally commands a higher level of documentary evidence, so further analysis is
13 required to recommend either issuance or amendment for marriage certificates.

14 Due to this other and procedural considerations, DOH suggests amending chapter 338, HRS,
15 instead of chapter 572, HRS.

16 The Department of Health looks forward to assisting the Legislature to develop appropriate
17 procedures and criteria for the purposes of this measure.

18 Thank you for the opportunity to testify.

19 **Offered Amendments:**

20 SECTION 1. The legislature finds that according to a
21 2016 report by the Williams Institute on Sexual
22 Orientation and Gender Identity Law and Public Policy,
23 Hawaii has the highest percentage of transgender-
24 identifying individuals in the United States. The
25 legislature notes that, in general, transgender-

1 identifying individuals experience high levels of
2 discrimination in all aspects of the individual's
3 life. The legislature also notes that Hawaii has been at
4 the forefront of implementing policies to protect
5 transgender people and believes that Hawaii should
6 continue to take proactive measures.

7 The legislature further finds that according to a
8 2013 report by the University of Hawaii, gender-
9 stereotypical polices and norms continue to stigmatize
10 and exclude transgender people in the
11 State. Additionally, according to the 2018 sexual and
12 gender minority health report by the department of
13 health, the stigmatized minority status of transgender
14 individuals is causing negative and disproportionate
15 health outcomes, fewer economic opportunities, and less
16 sociopolitical power.

17 The legislature recognizes that Act 148, Session
18 Laws of Hawaii 2019, expanded gender options applicable
19 to Hawaii driver's licenses and state identification
20 cards, thus enabling transgender and gender-nonconforming
21 individuals to avoid invasive questioning and
22 discriminatory treatment. Accordingly, as of July 1,
23 2020, any person may specify gender designations as "F",
24 "M", or "X" on a Hawaii driver's license or state
25 identification card. However, under current law, a

1 transgender-identifying individual is ~~unable to change~~
2 ~~limited in changing~~ their gender designation on a
3 marriage certificate. Name changes are permitted only
4 within a four-week period after the marriage or through a
5 court order. This makes it ~~virtually impossible~~
6 ~~difficult and expensive~~ for a transgender-identifying
7 individual to update their marriage certificate to
8 reflect their identity, causing confusion and stress when
9 asked to produce this documentation.

10 Accordingly, the purpose of this Act is to require
11 the department of health to issue new marriage
12 certificates to reflect changes in both name and gender
13 upon receipt of the required supporting documentation.

14 SECTION 2. Chapter ~~[572,]~~ 338, Hawaii Revised
15 Statutes, is amended by adding a new section to part I to
16 be appropriately designated and to read as follows:

17 ~~["§572-"]~~ ~~"§338-17~~ **New certificates of**
18 **marriage; issuance; gender and sex identifiers.** (a) The
19 department of health shall permit any person who
20 possesses a valid certificate of marriage that has been
21 filed with the department and that includes gender and
22 sex identifiers for the person that differ from the
23 person's changed gender and sex identifiers and, if
24 applicable, a changed name, to apply for a new

1 certificate of marriage; provided that the department
2 shall require the applicant to submit the following:

3 (1) An application for a new marriage license to reflect the applicant's change:

4 (A) To the designation of the person as
5 "bride", "groom", or "spouse"; and

6 (B) If applicable, of name;

7 (2) A copy of one of the following documents:

8 (A) The applicant's new certificate of birth
9 reflecting the applicant's change of gender
10 and sex identifier;

11 (B) A government-issued identification
12 document reflecting the applicant's change
13 of gender and sex identifier, including any
14 change of gender accomplished by an order of
15 any court of any state or territory of the
16 United States, the District of Columbia, or
17 any foreign court; or

18 (C) An affidavit attesting, under penalty of
19 perjury, that the request for a change of
20 the designation of the applicant as "bride",
21 "groom", or "spouse" is to conform to the
22 applicant's gender identity and is not made
23 for any fraudulent purpose;

1 (3) If the applicant desires that the new certificate of marriage reflect a different
2 name for the applicant than what is reflected on the original certificate of marriage, a
3 certified copy of the applicant's change of name order, obtained under section
4 574(5(a)(1) or (5), including a certified English translation, if applicable; and

5 (4) A notarized letter from the non-applicant spouse consenting to the changes to
6 be made to the original certificate of marriage; provided that the notarized letter shall
7 substantially contain the following language:

8
9 "I, (non-applicant spouse's full name), stipulate to an issuance of a new
10 marriage certificate for myself that reflects my spouse's legal gender, sex, and, if
11 applicable, name."

12
13 (b) Each new certificate of marriage issued
14 pursuant to this section shall:

15 (1) Reflect the applicant's changed:

16 (A) Designation as "bride", "groom", or
17 "spouse"; and

18 (B) If applicable, name; and

19 (2) Replace the original certificate of marriage.

20 (c) No new certificate of marriage issued pursuant
21 to this section shall:

22 (1) Be marked as amended; or

23 (2) Reveal the language of the original certificate of marriage that was changed in
24 the new certificate of marriage.

1 (d) The department of health shall establish fees
2 to be paid for issuance of a new certificate of marriage
3 pursuant to this section.

4 (e) Upon receipt of the documents submitted
5 pursuant to subsection (a) and the applicant's payment of
6 the fees established pursuant to subsection (d), the
7 department of health shall:

8 (1) Issue to the applicant a new certificate of marriage; and

9 (2) Seal and file any documents evidencing the preparation of the new certificate
10 of marriage, including the original certificate of marriage; provided that these
11 documents shall only be opened pursuant to an order of [a court of record] any court
12 of competent jurisdiction within a state, territory, or possession of the United States or
13 by request of the marriage registrant.

14 (f) The department of health shall issue a new
15 certificate of marriage to any applicant who has
16 satisfied the requirements of this section regardless of
17 the date of the applicable marriage."

18 SECTION 3. Section 572-13, Hawaii Revised Statutes,
19 is amended by amending subsection (c) to read as follows:

20 "(c) Certified copies of certificate of
21 marriage. The department of health shall deliver one
22 certified copy of the certificate of marriage or the
23 contents or any part thereof as provided in section 338-
24 13 to the persons married. [~~The certificate shall be~~
25 ~~prima facie evidence of the fact of marriage in any~~
26 ~~proceeding in any court.~~]

1 ~~[The]~~ Upon request, the department of health shall
2 ~~[upon request,]~~ furnish to any applicant additional
3 certified copies of the certificate of marriage or any
4 part thereof.

5 ~~[Copies]~~ Except for any certificate of marriage
6 replaced, sealed, and filed pursuant to section
7 [572-,] 338-17 copies of the contents of any
8 certificate on file ~~[in the department,]~~ with,
9 and certified by, the department shall be considered the
10 same as the original for all purposes ~~[the same as the~~
11 ~~original]~~.

12 The department may prescribe reasonable fees, if
13 any, to be paid for certified copies of certificates."

14 SECTION 4. Statutory material to be repealed is
15 bracketed and stricken. New statutory material is
16 underscored.

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

19



January 31, 2023

House's Committee on Health & Homelessness
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Friday, February 3, 2022 at 8:30 AM

RE: **STRONG SUPPORT for House Bill 485**

Aloha Chair Belatti, Vice-Chair Takenouchi and fellow committee members,

I am writing in STRONG SUPPORT for House Bill 485 on behalf of the Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i's oldest and largest policy and political LGBTQIA+ focused organization.

HB 485 will establish the ability for marriage certificates issued in Hawai'i to be updated for those having had legal name and gender changes. Currently there is no mechanism to allow those that undergo a legal name and gender change to update this vital record document.

Marriage Certificates are vital records and needed for handling affairs, legal and financial concerns, or for traveling internationally. Some examples of use:

- Sharing health or other insurance benefits
- Applying for a loan or mortgage
- Filing Taxes
- Arranging property succession or retirement benefits to a spouse
- Giving tax-free gifts to a spouse
- Custody changes

For all these reasons the Stonewall Caucus humbly asks that you support HB 485 to ensure fairness for any couple in Hawai'i seeking to update vital records for reasons of name and gender change.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH

To: Committee on Health and Homelessness

Hearing Date/Time: Friday, February 3, 2023 8:30 AM

Re: Testimony in Support of HB 485

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Belatti, Vice Chair Takenouchi and members of the committee

The Hawaii Health & Harm Reduction Center (HHHRC) supports HB 485 which would allow individuals to change their gender and/or name on their marriage certificate to represent their identity. While Hawaii has many other laws and policies that allow for the transgender community to get their birth certificate, driver's license and other documents updated, marriage certificates are not currently included. The passage of HB 485 addresses this gap and would help address the stigma associated with not having legal documents aligned with one's gender identity.

HHHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

HHHRC's transgender health program, Kua`ana, has worked tirelessly over the past few years to help our transgender community get their legal documents (birth certificates and driver's license) with their accurate names and gender markers and will support this effort once the bill becomes law.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 • PHONE: 586-8636 • FAX: 586-8655 • TDD: 568-8692

February 3, 2023
Rm. 329, 8:30 a.m.

To: The Honorable Della Au Belatti, Chair
The Honorable Jenna Takenouchi, Vice Chair
Members of the House Committee on Health & Homelessness

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 485

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights.

The HCRC supports H.B. No. 485, which provides for the replacement of marriage certificates for individuals who have changed their gender, sex, and, if applicable, name.

The Legislature previously passed H.B. No 1165 in 2019, enacted as Act 142, expanding gender options on government identification. Recent awareness of the discrimination and other issues faced by transgender and non-binary individuals has provoked greater consciousness of the difficulties with official documents that can arise. This bill would allow transgender individuals who are married to correct their marriage certificates to accurately reflect their gender identity. This bill will advance fair treatment and address discrimination faced by the transgender community.

Recognizing the importance of fair treatment and inclusiveness, the HCRC supports H.B. No. 485.



North Shore Ko'olau Diversity Collective

To: Committee on Health and Homelessness, Hawai'i State House of Representatives

Hearing Date: Friday, February 3, 2023

Re: Testimony in Support of HB 485

From: Joe Wilson, North Shore Ko'olau Diversity Collective

Dear Chair Belatti, Vice Chair Takenouchi and members of the committee

I write on behalf of the North Shore Ko'olau Diversity Collective in **STRONG SUPPORT** for HB 485, which would help ensure that people have a navigable process by which they can update Hawai'i marriage certificates to correct basic information which may have changed after their current certificate was issued.

Marriage certificates can be very important documents, and when the information on a marriage certificate such as name or gender/gender marker do not align with someone's other or more-current documentation, people can have serious difficulty completing certain tasks which require a copy of a marriage certificate. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discrimination and wrongful denial of benefits.

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and I strongly support this measure. Thank you for hearing this measure which will surely make a big difference in the lives of married people in Hawaii!

The North Shore Ko'olau Diversity Collective is a relatively new and growing grassroots effort working to ensure that our rural O'ahu communities are welcoming, inclusive, and supportive of mähū, aikāne, and LGBTQ+ individuals and families, and proactive in challenging bigotry, disrespect, discrimination.

We will be following this and other bills relevant to our communities' health and well being closely and hope we can count on your support.

Organizing Committee

Joe Wilson – Elizabeth J. Rago – Michelle Johnson Blimes – Kunane Dreier – Bethany Berry-Weiss

HB-485

Submitted on: 2/2/2023 9:19:10 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joanne Okika Shigeke Qinaau	Pilina Center for Wellbeing	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair Takenouchi, and committee members,

My name is Jo Qina`au from the Pilina Center for Wellbeing and I am writing in STRONG SUPPORT for HB485. Helping to ensure that people have a navigable process to update marriage certificates which reflect accurate basic information is a critical option to offer our citizens.

Marriage certificates can be very important documents, and when the information on a marriage certificate such as name or gender/gender marker do not align with someone's current documentation, completing tasks requiring a copy of a marriage certificate can be unnecessarily challenging. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discrimination and wrongful denial of benefits.

As a clinical psychologist in training, I can also testify to the severe impacts on mental and behavioral health we see from outing and discrimination. Not only would denying this process be unethical and detrimental to the individual, it would ultimately be costly to the state (in the form of added healthcare burden and potential loss of working days).

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and we at the Pilina Center strongly support this measure. It is a small but important symbol of equity and balance (pono) in our community.

Thank you for hearing this measure which will surely make a positive impact in the lives of married people in Hawai`i.

Mahalo nui,

Jo

Committee: House Committee on Health & Homelessness
Bill Number: HB 485
Hearing Date/Time: February 3, 2023, 8:30 a.m.
Subject: Testimony in **STRONG SUPPORT of HB 485**, Relating to Marriage

Aloha Chair Belatti, Vice Chair Takenouchi, and Committee Members:

Thank you all for allowing the opportunity to provide testimony on HB 485. My name is Sarah Simmons of Moanalua and I am writing today in support of HB 485 to create a process for name and gender marker change on Hawai'i marriage certificates.

Twenty four years ago I was lucky to meet the love of my life while in college, and in 2018 we finally married here in Hawai'i. In 2020, my spouse decided to begin the process of transitioning to their new gender identity and legal name change. We had many discussions on this as a couple, and I have always been in full support and love while we underwent the process of transitioning together. I know that not all couples are able to survive this kind of change, but I love my spouse and I am committed to them regardless of their gender.

The process of changing your name and gender markers is not an easy one to navigate, but she pushed through. The one final document we feel we need for the future is an update to our marriage certificate. There is no process currently in place for this record to be updated, and for our marriage and for other couples in the future I want our state to craft a mechanism for name and gender markers to be updated. A marriage certificate is a vital document that follows us through our lives, and when we have to give copies of that document to prove our marriage to other agencies it is not right for us to have to deadname my spouse or explain their transition each time.

The need for all vital records documents to be updateable for name and gender changes is vital for fairness to myself and other couples seeking to have their legal marriage certificates reflect their current legal names and genders. I would like to ask you all to support this legislation to allow those who have changed their names and gender markers to update their marriage certificates.

Thank you all for your time and consideration on testimony for HB 485.

Sincerely,

Sarah Simmons
Honolulu, HI 96818

Committee: House Committee on Health & Homelessness
Bill Number: HB 485
Hearing Date/Time: February 3, 2023, 8:30 a.m.
Subject: Testimony in **STRONG SUPPORT of HB 485**, Relating to Marriage

Aloha Chair Della Au Belatti, Vice Chair Jenna Takenouchi, and Committee Members:

Thank you all for allowing the opportunity to provide testimony on HB 485. My name is Abby Simmons from Honolulu, and I am writing today in support of HB 485 to create a process for name and gender marker change on Hawai'i marriage certificates.

Marriage Certificates are vital for handling affairs, legal and financial concerns, or for traveling internationally. Some examples of use:

- Sharing health or other insurance benefits
- Applying for a loan or mortgage
- Filing Taxes
- Arranging property succession to a spouse
- Giving tax-free gifts to a spouse
- Custody changes

My spouse and I married on May 1, 2018, here in Hawai'i. In 2020 I began my transition, completing my legal name and gender change in 2021. The process involved updating many documents, after legally changing my name:

- My Hawai'i driver's license
- Passport
- Social Security record and card
- my employer file
- all of my bank and credit accounts
- University undergraduate and graduate record of degrees
- Various Insurance Coverages, etc.
- Medical records

The only government identity record I was not able to update was our Marriage Certificate.

Being able to update a Marriage Certificate with correct name and gender is essential in preventing transgender individuals from being outed when presenting the certificate for the many reasons listed above. When a transgender individual or couple are outed, they risk harassment and discrimination. The appearance of an individual's old name and gender marker is an injustice due to the social stigma and discrimination that transgender people face.

This injustice can be remedied effectively by issuing a corrected marriage certificate listing current legal name and gender. For this reason, I would like to ask you all to support this legislation.

Thank you all for your time and consideration on testimony for HB 485.

Sincerely,

Abby Simmons

Aloha Chair Belatti, Vice Chair Takenouchi, and committee members,

My name is Breanna Zoey and I am writing in **STRONG SUPPORT** for HB485, which would help ensure that people have a navigable process by which they can update Hawaii marriage certificates to correct basic information which may have changed after their current certificate was issued.

Marriage certificates can be very important documents, and when the information on a marriage certificate such as name or gender/gender marker do not align with someone's other or more-current documentation, people can have serious difficulty completing certain tasks which require a copy of a marriage certificate. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discrimination and wrongful denial of benefits.

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and I strongly support this measure. Thank you for hearing this measure which will surely make a big difference in the lives of married people in Hawaii!

Breanna Zoey

(she/they)

HB-485

Submitted on: 1/31/2023 6:42:56 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl Burghardt	Individual	Support	Written Testimony Only

Comments:

I SUPPORT this bill which provides for the replacement of certificates of marriage for individuals who have changed their gender, sex, and, if applicable, name.

HB-485

Submitted on: 2/1/2023 8:09:37 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Dylan Ramos	Individual	Support	Written Testimony Only

Comments:

Aloha,

As explained in Section 1 of HB485, this bill is a natural next step for Hawaii after passing Act 148. This common sense legislation affords our community of transgender and non-binary citizens the dignity and basic, legally significant right to have official documents that match their identities.

Mahalo,

Dylan Ramos

96816

HB-485

Submitted on: 2/1/2023 10:01:36 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Cooper	Individual	Support	Written Testimony Only

Comments:

I SUPPORT HB485. Individuals who have changed their gender, sex, and/or name should be able to have that information represented correctly on their certificates of marriage.

Thank you,

Jim Cooper

HB-485

Submitted on: 2/1/2023 10:43:42 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

HB 485

I support HB485 which allows for a replacement marriage license for people who have changed their gender, sex, and/or name. This helps those who need it and does not affect anybody else.

Mahalo

Renee Rabb

Keaau, HI 96749

District 4, Pct 2

HB-485

Submitted on: 2/1/2023 2:58:56 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

I am writing in **strong support** of HB 485. This change in law is needed so that members our state's trans community are able to have legal documentation that correctly reflects their gender indentity.

Mahalo for the opportunity to provide tesitimony.



To: Committee on Health and Homelessness

Hearing Date/Time: Friday, February 3, 2023 8:30 AM

Re: Testimony in Support of HB 485

From: Aaron Ruddick

Dear Chair Belatti, Vice Chair Takenouchi and members of the committee

I strongly **support HB 485** which would allow individuals to change their gender and/or name on their marriage certificate to represent their identity. While Hawaii has many other laws and policies that allow for the transgender community to get their birth certificate, driver's license and other documents updated, marriage certificates are not currently included. The passage of HB 485 addresses this gap and would help address the stigma associated with not having legal documents aligned with one's gender identity.

Thank you for the opportunity to testify.

Aaron Ruddick

HB-485

Submitted on: 2/1/2023 5:06:47 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Cindy Goo	Individual	Support	Written Testimony Only

Comments:

I'm writing in support of HB485.

Hawaii as our host culture has always recognized all identities of its people. Hawaii, as a State, has also done so.

It is the State's responsibility to continue to support all identities by changing/updating processes that would inhibit any identity from fully benefiting any services that are enjoyed by the "traditional" genders.

Marriage certificates are legal documents that are required by a number of entities and by not allowing transgendered people to update these documents denies them participation in benefits and puts them at a disadvantage.

Allowing them to update their information also empowers them as individuals and with strong individuals, we have strong communities.

Support this bill!

Thank you,

Cindy Goo

Hawaii State Legislature

February 1, 2023

**The Honorable Della Au Belatti, Chair
The Honorable Jenna Takenouchi, Vice Chair
and Members Committee on Human Services**

H.B. NO. 485 RELATING TO MARRIAGE.

Friday, February 3, 2023

8:30 AM Via Videoconference

IN SUPPORT

Dear Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

My name is Desiree Ancheta, a student with Myron B. Thompson School of Social Work and Public Health at the University of Hawaii at Manoa. I am respectfully submitting the following testimony in strong support of H.B. 485, Relating to Marriage.

With many transgenders coming out and becoming a norm in today's societies, it's only fair to allow transgender individuals to identify as their identified gender on their marriage certificate. It would create more difficulties for transgender married couples if current documents show their legal name and gender change but not on their marriage certificates.

I believe allowing transgenders to claim their identified gender, if they legally changed it and have documents for the change, on their marriage certificates is important because it's their identities.

Thank you for this opportunity to testify,

Desiree Ancheta
MSW Candidate
School of Social Work and Public Health
University of Hawaii at Manoa

HB-485

Submitted on: 2/1/2023 7:13:56 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Rita L Y Kaku	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill to allow trans couples to be able to update their marriage license to what is appropriate. It gives them rights normal for married couples and avoids discrimination or embarrassing questions. This is no different than a person legally changing their name or to change their gender on a birth certificate. Please allow this bill to proceed, because love between 2 adults should be equal for all.

Thank you, Rita Kaku

HB-485

Submitted on: 2/1/2023 8:27:14 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Dear Chair Belatti, Vice Chair Takenouchi, and members of the committee,

As a concerned citizen and public health professional, I strongly support HB 485 which would allow individuals to change their gender and/or name on their marriage certificate to represent their identity. Hawai'i has established laws and policies that allow for people of all genders to get their birth certificate, driver's license and other documents updated, but marriage certificates are not currently included. The passage of HB 485 addresses this gap and would help address the stigma associated with not having legal documents aligned with one's gender identity.

This bill has implications for public health by promoting a culture of inclusivity that promotes well-being rather than an environment of exclusion, stigma, and harm.

With thanks,

Thaddeus Pham (he/him)

HB-485

Submitted on: 2/1/2023 9:33:49 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Wendy Wink	Individual	Support	Written Testimony Only

Comments:

Dear Chair Belatti, Vice Chair Takenouchi, and committee members,

My name is Wendy and I am writing in **STRONG SUPPORT** for HB485, which would help ensure that folks have a manageable process by which they may update their Hawaii marriage certificates, in order to correct vital information that may have changed after their certificate was issued.

When the information on a marriage certificate, such as name or gender/gender marker, do not align with one's other documentation or identification, it causes a lot of difficulty completing any task which requires their marriage certificate. Perhaps a worse scenario: an outdated and incorrect marriage certificate, that's produced as needed, may 'out' an individual or couple who has gone through transition. Outing may result in serious discrimination, wrongful denial of benefits, and most of the time worse, relived trauma.

It's 2023. We've got to do better.

Thank you for the opportunity to testify.

Wendy Wink

HB-485

Submitted on: 2/1/2023 11:05:03 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Linda Hamilton Krieger	Individual	Support	Written Testimony Only

Comments:

My name is Linda Hamilton Krieger and I am writing in STRONG SUPPORT for HB485, which would help ensure that people have a navigable process by which they can update Hawaii marriage certificates to correct basic information which may have changed after their current certificate was issued.

Marriage certificates can be very important documents, and when the information on a marriage certificate, such as name or gender/gender marker, do not align with someone's other or more-current documentation, people can have serious difficulty completing certain tasks which require a copy of a marriage certificate. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discrimination and wrongful denial of benefits.

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and I strongly support this measure. Thank you for hearing this measure which will surely make a big difference in the lives of married people in Hawaii!

HB-485

Submitted on: 2/2/2023 12:20:32 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Maddalynn Seseapasara	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG SUPPORT** for HB485, which would help ensure that people have a navigable process by which they can update Hawaii marriage certificates to correct basic information which may have changed after their current certificate was issued.

Marriage certificates are very important documents, and when the information on a marriage certificate such as name or gender/gender marker do not align with someone's other or more-current documentation, people can have serious difficulty completing certain tasks which require a copy of a marriage certificate. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discination and wrongful denial of benefits.

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and I strongly support this measure. Thank you for hearing my letter which will surely make a big difference in the lives of married people in Hawaii!

Mahalo!

Maddalynn Seseapasara

HB-485

Submitted on: 2/2/2023 8:15:56 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Caitlin Rollo	Individual	Support	Written Testimony Only

Comments:

Committee: House Committee on Health & Homelessness

Bill Number: HB 485

Hearing Date/Time: February 3, 2023, 8:30 a.m.

Subject: Testimony in STRONG SUPPORT of HB 485, Relating to Marriage

Dear Chair Della Au Belatti, Vice Chair Jenna Takenouchi, and Committee Members:

We are writing today in strong support of HB 485.

It's important for all states to ensure all of their citizens are granted fair and equal access to marriage. An important piece that is missing in Hawaii is creating a process for name and gender marker change on marriage certificates.

Being able to update a Marriage Certificate with the correct name and gender is essential in preventing transgender individuals from being outed when asked to present the certificate. When a transgender individual or couple are outed, they risk harassment and discrimination. The appearance of an individual's old name and gender marker is an unfair injustice due to the social stigma and discrimination that transgender people face.

This injustice can be remedied effectively by issuing a corrected marriage certificate listing current legal name and gender. For this reason, we would like to ask you all to support this legislation.

Thank you all for your time and consideration for our testimony in support of HB 485.

Sincerely,

Hon. Michael S Rollo (former 6 term NH State Representative)

Hon. Caitlin A. Rollo (former 1 term NH State Representative)

Hopkinton, NH

HB-485

Submitted on: 2/2/2023 8:32:34 AM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amanda Martinez	Individual	Support	Written Testimony Only

Comments:

Chair Belatti, Vice Chair Takenouchi, and committee members,

My name is Amanda Martinez and I am writing in STRONG SUPPORT for HB485, which would help ensure that people have a navigable process by which they can update Hawaii marriage certificates to correct basic information which may have changed after their current certificate was issued.

Marriage certificates can be very important documents, and when the information on a marriage certificate such as name or gender/gender marker do not align with someone's other or more-current documentation, people can have serious difficulty completing certain tasks which require a copy of a marriage certificate. Or perhaps worse, if an outdated marriage certificate is provided that contains a clearly misaligned name or gender, it can serve to 'out' an individual or couple who has perhaps gone through transition, and that outing can result in serious discrimination and wrongful denial of benefits.

It is vital that a simple process exist that allows people to make essential updates to their marriage certificate, and I strongly support this measure. Thank you for hearing this measure which will surely make a big difference in the lives of married people in Hawaii!

HB-485

Submitted on: 2/2/2023 2:54:41 PM

Testimony for HLT on 2/3/2023 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jessica Waia'u	Individual	Support	Written Testimony Only

Comments:

I support HB485 and the measures within. Such a small change in paperwork goes a long way in supporting folks identities. Mahalo.