

STAND. COM. REP. NO.

789

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 485  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 485, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MARRIAGE,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Health to issue new marriage certificates to individuals who have changed their gender, sex, and name, if applicable, upon receipt of the required supporting documentation.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Rainbow Family 808, Hawai'i Friends of Civil Rights, North Shore Ko'olau Diversity Collective, Stonewall Caucus of the Democratic Party of Hawai'i, and ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that gender-stereotypical policies and norms stigmatize and exclude transgender people in the State. Your Committee further finds that the existing process for an individual to change their gender designation or name on a marriage certificate is difficult and expensive. This measure would make it easier for transgender people to obtain a new

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marriage certificate that accurately reflects their gender, sex, or name.

Your Committee has amended this measure by:

- (1) Clarifying that an application for a marriage license include "partner" as an applicant's designation and choice of terminology; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 485, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 485, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

<b>Bill/Resolution No.:</b> <b>HB 485, HD1</b>	<b>Committee Referral:</b> <b>HLT, JHA, FN</b>	<b>Date:</b> <b>2/9/2023</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny	✓			
4. HOLT, Daniel	✓			
5. HASHIMOTO, Troy N.	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. SOUZA, Kanani	✓			
<b>TOTAL (10)</b>	<b>10</b>	—	—	—
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				