



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of HB2435 HD1 SD1
RELATING TO LICENSING.**

SEN. KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: April 4, 2024

Room Number: 016

- 1 **Fiscal Implications:** No additional resources are required to implement.
- 2 **Department Testimony:** The Department of Health (DOH) strongly supports this
- 3 Administration Measure that will improve customer service and department efficiency.
- 4 An emergency order during the COVID-19 pandemic authorized the issuance of licenses to
- 5 marry online, whereas Hawaii Revised Statutes requires an in-person only appointment. The
- 6 authority for online issuance of marriage licenses sunset with the repeal of the emergency order,
- 7 and as the economy rebounded, so too did local, mainland, and international weddings.
- 8 DOH wishes to emphasize that this measure only affects the issuance of the marriage license.
- 9 The actual marriage ceremony must, pursuant to state law, be in-person with all parties – the
- 10 couple and marriage officiant – physically in the same place.
- 11 For perspective, there are approximately 20,000 marriage licenses issued by the Department of
- 12 Health each year, with about two-thirds issued to couples from outside of Hawaii. Online
- 13 issuance will also benefit Neighbor Islands, where department staff are fewer in number and are
- 14 supplemented by government and private agents who are authorized to issue licenses.
- 15 DOH offers amendments to clarify online issuance of marriage licenses that makes a distinction
- 16 between a civil servant and a private agent for purposes of quality control.
- 17 Thank you for the opportunity to testify.

1 **Offered Amendments:**

2 The following amendments are proposed to address intermittent issues where new or
3 inexperienced private agents do not confirm both marriage license applicants are physically
4 located in the State of Hawaii.

5 " (a) To secure a license to marry, the persons applying
6 for the license shall appear [~~personally~~]:

7 (1) in-person or by synchronous online access before a
8 department employee authorized to issue licenses; or

9 (2) In-person before an agent authorized to grant marriage
10 licenses and shall file with the agent an application in
11 writing, or remotely by synchronous online access before
12 an agent and as authorized by the department of health in
13 rules adopted pursuant to chapter 91."

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