

STAND. COM. REP. NO.

1717

Honolulu, Hawaii

APR 08 , 2021

RE: S.B. No. 157
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 157 entitled:

"A BILL FOR AN ACT RELATING TO LICENSING,"

begs leave to report as follows:

The purpose of this measure is to broaden the eligibility for determining who may solemnize marriages by authorizing any individual at least eighteen years of age to solemnize marriage through civil licenses.

Your Committee received testimony in support of this measure from the Department of Health, Rainbow Family 808, LGBT Caucus of the Democratic Party of Hawaii, and two individuals.

Your Committee finds that under existing law, only clergy, religious societies, justices, judges, and magistrates are authorized to solemnize marriages. However, the right to marry belongs to all citizens, regardless of their moral beliefs or religious creed. This measure will allow persons without any religious affiliation to perform the marriage rite.

Your Committee has amended this measure by:

- (1) Clarifying that an individual performs and solemnizes the marriage rite pursuant to a civil license upon the

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presentation to the individual of a license to marry in accordance with existing law;

- (2) Specifying that individuals with a civil license to solemnize a marriage may receive the price stipulated by the parties or the gratification tendered;
- (3) Specifying that the fee for a civil license to solemnize marriages is \$100 per year the permit is valid; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

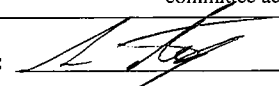
As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 157, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 157, H.D. 1, and be placed on the calendar for Third Reading.

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


MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 157	Committee Referral: JHA	Date: 4-6-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <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. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
TOTAL (12)	12	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				