



DEPARTMENT OF THE ATTORNEY GENERAL

**News Release**

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**JUDGE DECLARES SAME-SEX MARRIAGE LEGAL**

HONOLULU – First Circuit Court Judge Karl K. Sakamoto denied a request by Hawaii State Representative Bob McDermott for a temporary restraining order and an injunction against the State that would have prevented same-sex couples from getting married under the newly enacted Hawaii Marriage Equality Act of 2013. In light of the ruling the State plans to move ahead as scheduled and issue marriage licenses to same-sex couples effective December 2, 2013.

Attorney General David M. Louie said, "We are extremely pleased that the judge agreed with us and found that the bill as enacted is constitutionally sound. As Judge Sakamoto succinctly said, 'Same-sex marriage is legal' in Hawaii."

The complaint challenged the validity of S.B. 1, H.D. 1, Relating to Equal Rights, based on Representative McDermott's interpretation of Article I, section 23 of the State Constitution. The Court found that the Legislature could properly allow same-sex couples to get married under the Legislature's general power to enact laws pursuant to Article III, section 1 of the State Constitution. The Court held that this power was not restricted by the earlier passage of Article I, section 23 as a constitutional amendment in 1998.

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