STAND. COM. REP. NO. 298

Honolulu, Hawaii

Ebmay 18, 2015

RE: H.B. No. 1216 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1216 entitled:

"A BILL FOR AN ACT RELATING TO CHILD VISITATION,"

begs leave to report as follows:

The purpose of this measure is to clarify the procedures through which grandparents may be given reasonable visitation rights to their grandchildren by amending standards for the court to use in awarding visitation rights to grandparents.

The Department of the Attorney General submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the standard required for an award of grandparent visitation to a showing of significant harm if visitation were denied, in order to meet the strict scrutiny inquiry required by the United States and Hawaiian Supreme Courts of a statute that implicates a parent's fundamental rights; and
- (2) Changing the effective date to July 1, 2050, to encourage discussion.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1216, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Human Services,

DEE MORIKAWA, Chair

## State of Hawaii House of Representatives The Twenty-eighth Legislature

H3CR 298

## **Record of Votes of the Committee on Human Services**

Bill/Resolution No.: Committ  HB1216  HB	ee Referral:	Date:	2/12/	15
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MORIKAWA, Dee (C)				
2. KOBAYASHI, Bertrand (VC)				
3. BELATTI, Della Au				
4. CREAGAN, Richard P.				
5. HASHEM, Mark J.				
6. JORDAN, Jo			-	
7. OSHIRO, Marcus R.				
8. FUKUMOTO CHANG, Beth				
				- /
TOTAL (8)	8			
The recommendation is:  Adopted  If joint referral,  committee acronym(s)  Adopted  did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				