STAND. COM. REP. NO.

Honolulu, Hawaii **RE:** H.B. No. 2131 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2131 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. Specifically, this measure:

- (1) Deletes duplicative provisions of awarding grandparents reasonable visitation rights; and
- (2) Adds as a prerequisite to awarding visitation that the court finds that awarding custody to a grandparent is in the best interest of the child and that denial of reasonable grandparent visitation rights would cause actual or potential harm to the child.

The Department of the Attorney General provided comments.

Your Committee has amended this measure by:

 Amending the standard required for an award of grandparent visitation to a showing of significant harm if visitation were denied; and



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(2) Allowing a rebuttable presumption that a parent's decision regarding visitation is in the best interest of a child to be rebutted by evidence that denial of reasonable grandparent visitation rights would cause significant harm to the child.

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. 2131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2131, H.D. 1, and be referred to your 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 HSCR 541-16

## Record of Votes of the Committee on Human Services

Bill/Resolution No.: 132131	Committee Referral: HVS, JVD	, Date:	2-18-	-16
The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Image: Pass, unamended (as is)  Image: Pass, with amendments (HD)  Image: Hold    Image: Description of the pass short form bill with HD to recommit for future public hearing (recommit)  Image: Hold  Image: Hold				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MORIKAWA, Dee (C)				
2. KOBAYASHI, Bertrand (VC)				
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3. BELATTI, Della Au				/
4. CREAGAN, Richard P.			· · · · · ·	
5. HASHEM, Mark J.				
6. JORDAN, Jo				
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7. OSHIRO, Marcus R.				
8. FUKUMOTO CHANG, Beth				
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TOTAL (8)	5			3
The recommendation is:  Adopted  Not Adopted    If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				