Honolulu, Hawaii

RE: H.B. No. 983 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 983 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow the family court to award reasonable visitation rights by a grandparent of a minor child based on an additional finding by court that denial of reasonable visitation would cause actual or potential harm to the child;
- (2) Establish a rebuttable presumption that a parent's decision regarding visitation is in the best interest of the child;
- (3) Provide that in awarding reasonable grandparent visitation, the court shall be guided by the provisions for parent visitation under section 571-46, Hawaii Revised Statutes (HRS); and
- (4) Provide that a grandparent of a minor child is subject to court sanctions in accordance with section 571-81, HRS, for violating the terms and conditions of an order awarding reasonable visitation.

Two individuals testified in support of this measure. The Hawaii State Bar Association Family Law Section opposed this measure. The Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring a finding that denial of reasonable visitation would cause significant harm to the child when awarding reasonable visitation rights by a grandparent of a minor child;
- (2) Changing the effective date to July 1, 2075, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

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. 983, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 983, 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

HB983 HD1 HSCR HUS HMS 2017-1747

State of Hawaii House of Representatives The Twenty-ninth Legislature HSCR58

Record of Votes of the Committee on Human Services

Bill/Resolution No.:	Committee Referral: HVS, JVD		Date: 02/03/17	
θ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: θ Pass, unamended (as is) θ Pass, with amendments (HD) θ Hold θ 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. TODD, Chris (VC)				
3. BELATTI, Della Au	<u> and and and and and and and and and and</u>			<u></u>
4. HAR, Sharon E.				V
5. KOBAYASHI, Bertrand	<u> </u>			
6. OSHIRO, Marcus R.				
7. TUPOLA, Andria P.L.				
TOTAL (7)	5			2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
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Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				