STAND. COM. REP. NO. 🥿

Honolulu, Hawaii

JUL 0 2 2020

RE: H.B. No. 1978 H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1978, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that the family court has jurisdiction in proceedings concerning the custody or guardianship of an immigrant child pursuant to a motion for Special Immigrant Juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of eighteen for purposes of the federal Immigration and Nationality Act.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Filipina Advocacy Network, The Legal Clinic, Filipinos for Affirmative Action, and six individuals.

Your Committee finds that federal law provides protections to individuals classified as special immigrant juveniles. Your Committee further finds that, consistent with the practices of other states, the State may assist individuals in claiming special immigrant juvenile status by clarifying that family court has jurisdiction over unmarried individuals under twenty-one years of

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age for purposes of awarding custody or guardianship pursuant to a motion for factual findings within the meaning of the Immigration and Nationality Act. This measure ensures that family court has jurisdiction concerning the custody or guardianship of an immigrant child pursuant to a motion for Special Immigrant Juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of eighteen.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1978, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1978, H.D. 1, S.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



The Senate Thirtieth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral: Date:			ate:	
HB 1978 HDI	HMS, JDC 06/30/2020				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members	_	Ауе	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		/			
KEOHOKALOLE, Jarrett (VC)		/			
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt		/			
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TOTAL		>			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes