STAND. COM. REP. NO. []31 -20

Honolulu, Hawaii , 2020 MAY 11 RE: S.B. No. 2603 S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 2603, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURTS,"

begs leave to report as follows:

The purpose of this measure is to assist family courts in determining the best interest of children when making custody decisions. Specifically, this measure gives guidance to family courts by:

- (1) Establishing rebuttable presumptions that it is not in the best interests of a child to grant custody or unsupervised visitation to a person if the person or anyone in the household in which the person resides:
 - (A) Has convictions for a violent or sexual offense, in which the victim was a minor;
 - (B) Has a conviction of murder, in which the victim was the other parent; or
 - (C) Is required to register as a sex offender;



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- (2) Requiring a court to consider registration as a sex offender a presumption of risk that affects the burden of producing evidence; and
- (3) Specifying that a court shall not disclose certain information about a child or the custodial parent of the child, unless it is in the best interests of the child.

Your Committee received testimony in support of this measure from The Sex Abuse Treatment Center and six individuals.

Your Committee finds that this measure will assist family courts in making custody decisions by creating a rebuttable presumption of significant risks to a child to ensure that children are not placed into the custody of or given unsupervised visitation with persons who are deemed likely to harm the child or jeopardize the child's safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

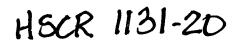
As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2603, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Human Services & Homelessness,

JOY SAN BUENAVENTURA, Chair



State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.: SB 2603, SD	Committee Referral: HSH, JUD		Date: 3/13/20		
□ 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) 					
HSH Members	Ayes	Ayes (WR)	Nays	Excused	
1. SAN BUENAVENTURA, Joy A.	. (C)				
2. NAKAMURA, Nadine K. (VC)	\checkmark				
			n an		
3. BELATTI, Della Au					
4. KOBAYASHI, Bertrand					
· KODATAOM, Dermanu					
5. MIZUNO, John M.			<u>Relative en de la constan</u> te en anten de la constante de la constante de la constante de la constante de la const La constante de la constante de	\sim	
6. SAY, Calvin K.Y.					
7. TOKIOKA, James Kunane					
9 WADD Come				Salaan iyo to aa aa aa ahaa ahaa ahaa ahaa ahaa a	
8. WARD, Gene					
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TOTAL (8)	6			2	
The recommendation is: Image: Adopted image: Adopt					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					