



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

September 15, 2020

**GOV. MSG. NO. 1141**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on September 15, 2020, the following bill was signed into law:

HB1978 HD1 SD1

RELATING TO SPECIAL IMMIGRANT JUVENILE  
STATUS.

**Act 036 (20)**

Sincerely,

DAVID Y. IGE

Governor, State of Hawai'i

# A BILL FOR AN ACT

RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that federal law provides  
2           protections to individuals classified as special immigrant  
3           juveniles. The legislature further finds that, consistent with  
4           the actions of other states, the State may assist individuals in  
5           claiming special immigrant juvenile status by clarifying that  
6           family court has jurisdiction over unmarried individuals under  
7           twenty-one years of age for purposes of awarding custody or  
8           guardianship pursuant to a motion for factual findings within  
9           the meaning of the Immigration and Nationality Act, title 8  
10          United States Code section 1101(a)(27)(J).

11          SECTION 2. Section 571-11, Hawaii Revised Statutes, is  
12          amended to read as follows:

13          "§571-11 **Jurisdiction; children.** Except as otherwise  
14          provided in this chapter, the court shall have exclusive  
15          original jurisdiction in proceedings:

16          (1) Concerning any person who is alleged to have committed  
17          an act prior to achieving eighteen years of age that



1 would constitute a violation or attempted violation of  
2 any federal, state, or local law or county ordinance.  
3 Regardless of where the violation occurred,  
4 jurisdiction may be taken by the court of the circuit  
5 where the person resides, is living, or is found, or  
6 in which the offense is alleged to have occurred;

7 (2) Concerning any child living or found within the  
8 circuit:

9 (A) Who is neglected as to or deprived of educational  
10 services because of the failure of any person or  
11 agency to exercise that degree of care for which  
12 it is legally responsible;

13 (B) Who is beyond the control of the child's parent  
14 or other custodian or whose behavior is injurious  
15 to the child's own or others' welfare;

16 (C) Who is neither attending school nor receiving  
17 educational services required by law whether  
18 through the child's own misbehavior or  
19 nonattendance or otherwise; or

20 (D) Who is in violation of curfew;



- 1 (3) To determine the custody of any child or appoint a  
2 guardian of any child;
- 3 (4) For the adoption of a person under chapter 578;
- 4 (5) For the termination of parental rights under sections  
5 571-61 through 571-63;
- 6 (6) For judicial consent to the marriage, employment, or  
7 enlistment of a child, when consent is required by  
8 law;
- 9 (7) For the treatment or commitment of a mentally  
10 defective or mentally ill child, or a child with an  
11 intellectual disability;
- 12 (8) Under the Interstate Compact on Juveniles under  
13 chapter 582 or the Interstate Compact for Juveniles  
14 under chapter 582D;
- 15 (9) For the protection of any child under chapter 587A;  
16 [and]
- 17 (10) For a change of name as provided in section 574-  
18 5(a)(2)(C) [-]; and
- 19 (11) Concerning custody or guardianship of an immigrant  
20 child pursuant to a motion for special immigrant  
21 juvenile factual findings requesting a determination



1           that the child was abused, neglected, or abandoned  
2           before the age of eighteen years for purposes of  
3           section 101(a)(27)(J) of the federal Immigration and  
4           Nationality Act. For the purposes of this paragraph,  
5           "child" means an unmarried individual under the age of  
6           twenty-one years."

7           SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9           SECTION 4. This Act shall take effect upon its approval.

APPROVED this 15 day of SEP , 2020



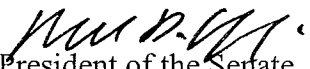
GOVERNOR OF THE STATE OF HAWAII




**THE SENATE OF THE STATE OF HAWAI‘I**

Date: July 6, 2020  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai‘i, Regular Session of 2020.

  
President of the Senate

  
Clerk of the Senate

HB No. 1978, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: July 10, 2020  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives