

STAND. COM. REP. NO.

519

Honolulu, Hawaii

FEB 19

, 2021

RE: H.B. No. 1096  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1096 entitled:

"A BILL FOR AN ACT RELATING TO PARENTAGE,"

begs leave to report as follows:

The purpose of this measure is to amend the Uniform Parentage Act to:

- (1) Allow non-gestational partners of any gender identity to voluntarily establish parentage of a child during the period immediately before or following the child's birth;
- (2) Amend the definition of "facility" under the expedited process of parentage law to include homes; and
- (3) Require the State to recognize parentage determinations from other states and territories.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Planned Parenthood Votes Northwest and Hawaii, AF3IRM Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Trans Hawaii Project, Healthy Mothers Healthy Babies, Hawaii Women's Coalition, and numerous individuals. Your Committee received comments on this measure

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from the Department of the Attorney General, Department of Health, and one individual.

Your Committee finds that existing parentage laws reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. Your Committee further finds that updating the Uniform Parentage Act to include non-gender-traditional couples and families will require several amendments to other laws, including family, benefit programs, and vital records laws. At this time, your Committee believes that the best course of action is to convene a task force to recommend updates to existing parentage laws.

Your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Inserting language to require the Department of Health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1096, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



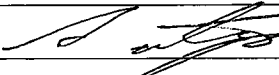
MARI M. NAKASHIMA, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCR 579

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>HB 1096</b>	Committee Referral: <b>JHA, FIN</b>	Date: <b>2-16-21</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.				✓
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane				✓
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				