

STAND. COM. REP. NO. 1163

Honolulu, Hawaii

**MAR 25 2021**

RE: H.B. No. 1096  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1096, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PARENTAGE,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to convene a task force to recommend amendments to existing parentage laws, which reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

Your Committee received testimony in support of this measure from the Department of Health, American Civil Liberties Union of Hawai'i, AF3IRM Hawai'i, Associated Students of the University of Hawai'i, Hawai'i Women Lawyers, The First Caucus of the Democratic Party of Hawai'i, Maui Equality Coalition, American Association of University Women of Hawaii, Hawaii Women's Coalition, Ma'i Movement Hawai'i, Planned Parenthood Votes Northwest and Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, LGBTQ+ Rainbow Alliance, Rainbow Family 808, and fifty two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.



Your Committee finds that under existing law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result, non-male LGBTQ+ parents are subject to a "queer parent penalty". That is, the female, non-binary, and queer partners are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's parent. This measure convenes a working group to recommend amendments to the Hawaii Revised Statutes to update existing paternity laws to reflect modern concepts of family, parenthood, and parental rights.

Your Committee heard from various stakeholders who recommended that the working group include more members of the LGBTQ+ community. Therefore, your Committee has amended this measure by:

- (1) Adding one representative of the Department of Health's Sexual and Gender Minority Working Group and one representative of Ka 'Aha Māhū as members of the working group;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1096, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1096, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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TERRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:
HB1096 HD 2	HTH, JDC	3-22-2021

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.				✓
FEVELLA, Kurt		✓		
<b>TOTAL</b>	3	1	—	1

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature:  
*Rosalyn H Baker*

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\*Only one measure per Record of Votes