

STAND. COM. REP. NO.

393

Honolulu, Hawaii

FEB 14 , 2023

RE: H.B. No. 384
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 384 entitled:

"A BILL FOR AN ACT RELATING TO PARENTAGE,"

begs leave to report as follows:

The purpose of this measure is to implement certain portions of the Uniform Parentage Act of 2017 to replace the Uniform Parentage Act of 1973.

Your Committee received testimony in support of this measure from the Judiciary, Commission to Promote Uniform Laws, Stonewall Caucus of the Democratic Party of Hawai'i, and Hawai'i Women Lawyers. Your Committee received testimony in opposition to this measure from five individuals. Your Committee received comments on this measure from the Department of the Attorney General and Donor Sibling Registry.

Your Committee finds that this measure will ensure that all children are afforded equal protection under the law, regardless of whether the child is born to a heterosexual or same-sex couple.

Your Committee has amended this measure by:

2023-1469 HB384 HD1 HSCR HMSO




- (1) Clarifying when and where an action to determine the existence or nonexistence of a parent-child relationship may be brought;
- (2) Establishing requirements for making persons parties to an action, providing representation for minor parties in actions, providing notice to parties, and the payment of fees for child support enforcement agency's services;
- (3) Clarifying when a court has continuing jurisdiction to modify or revoke a judgment or order;
- (4) Clarifying the timing for commencing a proceeding to determine whether an alleged genetic parent or presumed parent is a parent of a child;
- (5) Establishing requirements for the admissibility of genetic tests as evidence;
- (6) Requiring the court to order further genetic testing when the original test is contested, to be advanced and paid for by the contesting party;
- (7) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (8) 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. 384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 384, 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,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 384	Committee Referral: JHA, FIN	Date: 02/08/2023		
<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. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny	✓			
4. HOLT, Daniel	✓			
5. HASHIMOTO, Troy N.	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. SOUZA, Kanani	✓			
TOTAL (10)	10	—	—	—
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size:small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				