

STAND. COM. REP. NO. 1637

Honolulu, Hawaii

MAR 29, 2023

RE: S.B. No. 406  
S.D. 1  
H.D. 2

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 S.B. No. 406, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD VISITATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow the court to award reasonable visitation rights to a petitioning grandparent of a minor child when the child's parent is unable to exercise parental visitation due to incarceration or death and denial of reasonable grandparent visitation rights would cause significant harm to the child;
- (2) Require the court to follow the same standards, considerations, and procedures, for the granting of grandparent visitation rights as are used when awarding other visitation rights; and
- (3) Specify that persons violating an order awarding reasonable grandparent visitation rights are subject to sanctions.



Your Committee received testimony in support of this measure from the Grandparents Rights Hawaii Campaign, Hawaii Coalition for Child Protective Reform, and seven individuals.

Your Committee finds that ties created between a child and a grandparent are crucial to ensuring a sense of safety and security among children, especially for those who may have experienced traumatic life changes like losing a parent. Grandparents often act as caregivers for grandchildren, but do not have access to sufficient judicial remedies to ensure visitation rights. This measure clarifies guidelines for family courts in the State when considering whether to award visitation rights to grandparents.

Your Committee has amended this measure by making it effective upon approval.

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 S.B. No. 406, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 406, S.D. 1, H.D. 2.

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



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DAVID A. TARNAS, Chair



