STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 2'9

, 2023

S.B. No. 406 RE:

> 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,

DAVID A. TARNAS, Chair

2023-2947 SB406 HD2 HSCR HMSO

## State of Hawaii House of Representatives The Thirty-second Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Ref			Date:		
5B 406 , SD1 , HD1		HUS	AHT,	3	124/202	3
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to:   Pass, unamended (as is) Pass, with amendments (HD)   Hold						
Pass short form bill with HD to recommit for future public hearing (recommit)						
JHA Members		Ayes	Ayes (W	R)	Nays	Excused
1. TARNAS, David A. (C)		/				
				1966		
2. TAKAYAMA, Gregg (VC)			ER AND			
3. GANADEN, Sonny			an market expensive rent		1220 (1983) 2740	
			187			
4. HOLT, Daniel		-	## B ## (F)			
5. HASHIMOTO, Troy N.						Laka Ali
5. HASHIMOTO, Troy N.				i ka		
6. ICHIYAMA, Linda			in it states to	# S T T T		
			<b>2/</b>			
7. ILAGAN, Greggor						
8. KONG, Sam Satoru						
9. MIZUNO, John M.		/				
			rai I			
10. SOUZA, Kanani		/				2000 8
			<u> </u>			
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TOTAL (10)		8				2
The recommendation is: Ado		Not Adopte				
If joint referral, did not support recommendation.  committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						