

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2368

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2368 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Permit the Family Court to award reasonable visitation rights to grandparents, if, among other things, denial of visitation would cause significant harm to the child;
- (2) Establish a rebuttable presumption that the parent's decision regarding grandparents' visitation rights is in the best interests of the child; and
- (3) Establish factors for the court to consider when determining significant harm to the child.

Your Committee finds that the relationship between grandparents and grandchildren is valuable in a child's development into adulthood, and when grandparents provide a positive influence, they should be allowed visitation. Your Committee also finds that courts should be provided with objective criteria to evaluate whether the granting of grandparents' visitation rights are in the best interests of the child.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and



purpose of S.B. No. 2368 and recommends that it pass Third Reading.

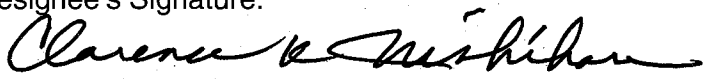
Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,

  
BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:* <b>SB 2368</b>	Committee Referral: <b>HMS, JGO</b>	Date: <b>2/23/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>4</b>	<b>—</b>	<b>—</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes