

STAND. COM. REP. NO. 940

Honolulu, Hawaii

March 4, 2011

RE: H.B. No. 1407
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1407 entitled:

"A BILL FOR AN ACT RELATING TO ADOPTION RECORDS,"

begs leave to report as follows:

The purpose of this bill is to aid adoptees in gaining access to their natural family and medical history by:

- (1) Requiring that, in the case of adoption, the name or names of either or both natural parents be included on the record of the birth; and
- (2) Allowing parties to the adoption access to sealed adoption records.

The Adoption Circle of Hawaii and a large number of individuals supported this bill. The Hawaii Catholic Conference, Country Talk Story, Hope, Inc., Hawaii Family Forum, and numerous individuals testified in opposition to this measure. The Judiciary, Korean Adoptees of Hawaii, Inc., and several individuals commented on this bill.

Your Committee has amended this bill by:

- (1) Deleting language requiring that, in the case of adoption, the name or names of either or both natural parents be included on the record of the birth;

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- (2) Reinstating language to allow adoption records to be unsealed upon a showing good cause;
- (3) Inserting language to establish a policy of disclosure for adoptions after December 31, 2011, unless the natural parent files an affidavit requesting confidentiality, which may be refiled every ten years to maintain confidentiality;
- (4) Changing the effective date to January 7, 2059, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1407, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1407, H.D. 1.

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



GILBERT KEITH-AGARAN, Chair



