

STAND. COM. REP. NO.

2905

Honolulu, Hawaii

MAR 22 2012

RE: H.B. No. 2227
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B.
No. 2227, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BIRTH CERTIFICATES,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to establish a new birth certificate for a person whose gender differs from the gender designation on the person's original birth certificate.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Department of Health, Hawaii State Democratic Women's Caucus, Planned Parenthood of Hawaii, Community Alliance on Prisons, Pride at Work Hawaii, National Gay and Lesbian Task Force, American Civil Liberties Union of Hawaii, AAUW Windward Branch, Hawaii Advocates for Consumer Rights, CHOW Project, and seventeen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum and Hawaii Catholic Conference. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that structures that provide for discrimination against certain populations of the State should be remedied. Your Committee notes that the intent of this measure is not to expand access to anyone's birth certificates in the State of Hawaii.

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Your Committee has amended this measure by:

- (1) Deleting language that allowed for a cause of action by a birth registrant should the Department of Health refuse to establish a new birth certificate for that birth registrant, as the language is unnecessary due to existing administrative means for individuals seeking to address a complaint with a state department; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2227, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2227, H.D. 1, S.D. 1, and be referred to the Committees on Judiciary and Labor and Ways and Means.

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



JOSH GREEN, M.D., Chair



