

Honolulu, Hawaii

Feb 8 , 2012

RE: H.B. No. 2426
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2426 entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the factors including a child's best interest and the wishes of the child's parents that a court shall consider in awarding grandparents' visitation rights with respect to a minor grandchild.

A concerned individual supported the measure. A concerned individual opposed the measure. The Office of Hawaiian Affairs and a concerned individual offered comments on the measure.

Your Committee has amended this measure by:


- (1) Adding the contents of H.B. No. 2725 which relates to parental custody and visitation rights;
- (2) Establishing a rebuttable presumption that the custodial parent's decision regarding visitation is in the best interests of the child when determining noncustodial parental visitation rights;
- (3) Enumerating the various factors that a court shall consider in awarding parental visitation rights;



- (4) Establishing a rebuttable presumption that joint parental custody should be awarded under certain factors;
- (5) Changing its effective date to July 1, 2050, for the purpose of further discussion; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2426, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

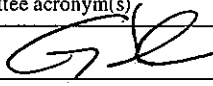

JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 207-12

Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 2426	Committee Referral: HUS, JUD, FIN	Date: Feb 2, 2012		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	✓			
2. JORDAN, Jo (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. LEE, Chris				✓
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.	✓			
9. CHING, Corinne W.L.	✓			
10. PINE, Kymberly Marcos				✓
TOTAL (10)	7			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; margin-left: 100px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
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