

Honolulu, Hawaii

Feb 16 , 2012

RE: H.B. No. 2569
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 Judiciary, to which was referred H.B. No. 2569 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL UNIONS,"

begs leave to report as follows:

The purpose of this measure is to allow for the improved and effective implementation of Hawaii's civil union law by amending various provisions of the Hawaii Revised Statutes to clarify language and promote conformity among related provisions.

The Department of Health, Honolulu Pride, and numerous concerned individuals testified in support of this measure. Equality Hawaii and Citizens for Equal Rights testified in support of this measure with amendments. Hawaii Family Forum, Christian Voice of Hawaii, and several concerned individuals testified in opposition to this measure. The Department of the Attorney General, Hawaii Catholic Conference, and numerous concerned individuals testified with comments on this measure.

Your Committee has amended this measure by:

- (1) Adding language to provide uninterrupted rights for those couples who have to terminate their reciprocal beneficiary relationships to enter into a civil union, including the right to hold property in a tenancy by the entirety;



- (2) Adding a provision clarifying that a religious organization is not required to make its facilities available for a civil union solemnization; provided that the facility is not a place of public accommodation;
- (3) Removing unnecessary references to a civil union solemnization being either secular or performed according to religious usage;
- (4) Establishing that a reciprocal beneficiary relationship automatically terminates when either party to the reciprocal beneficiary relationship enters into a marriage or a civil union solemnized by a person licensed by the Department of Health, or enters into a union outside the State;
- (5) Making the measure retroactive in application to January 1, 2012, to afford protection to those couples who have already terminated their reciprocal beneficiary relationships in order to enter into civil unions; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2569, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2569, H.D. 1, and be referred to the Committee on Finance.

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



GILBERT KEITH-AGARAN, Chair



