

STAND. COM. REP. NO. 234 -12

Honolulu, Hawaii

Feb 9, 2012

RE: H.B. No. 2725  
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. 2725 entitled:

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

begs leave to report as follows:

The purpose of this measure is to amend parental visitation rights by:

- (1) Establishing a rebuttable presumption that the custodial parent's decision regarding visitation is in the best interests of the child when determining parental visitation rights; and
- (2) Requiring the court to consider various factors in awarding parental visitation rights.

Several concerned individuals supported the measure. A concerned individual supported the measure with amendments. The Family Law Section of the Hawaii State Bar Association and a concerned individual opposed the measure. The Department of the Attorney General offered comments on the measure.

Your Committee notes the Department of the Attorney General's concern that the title of this bill, "Relating to Child Custody," may not encompass parental visitation rights.

HB2725 HD1 HSCR HUS HMS 2012-1716

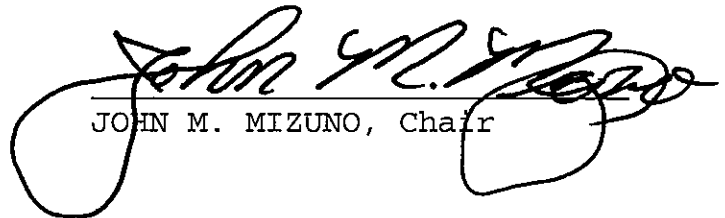


Your Committee has amended this measure by:

- (1) Establishing a rebuttable presumption that joint custody should be awarded if certain factors exist;
- (2) Changing its effective date to July 1, 2050, for the purpose of further discussion; and
- (3) 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. 2725, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2725, 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



