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.

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

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 2725	Committee Referral: HUS, TUD,	FIN Date	Eb 2,21	012_
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold 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: Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				