

STAND. COM. REP. NO. **3320**

Honolulu, Hawaii

APR 04 2014

RE: H.B. No. 2163
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2163, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PARENTAL PARITY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the court to consider frequent, continuing, and meaningful contact with each parent when awarding custody of a minor child unless the court finds that one or both parents are unable to act in the best interests of the child.

Your Committee received testimony in support of this measure from the Family Law Section of the Hawaii State Bar Association and six individuals. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure ensures the best interest of the child by requiring, rather than allowing, the court to consider frequent, continuing, and meaningful contact with each parent when awarding custody of a minor child.

Your Committee has amended this measure by:

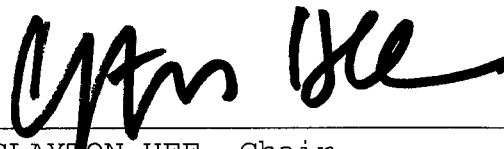
(1) Amending section 580-47, Hawaii Revised Statutes, to:



- (A) Require the court to consider any necessary reduction in employment due to the needs of a dependent child and wasting of assets when ordering spousal support and maintenance; and
 - (B) Establish that in the division and distribution of property as a result of a divorce, any value given for a joint investment or asset is presumed to be a joint gift, except when assets are inherited;
- (2) Making conforming amendments to section 580-74, Hawaii Revised Statutes, to reflect the amendments made to section 580-47, Hawaii Revised Statutes;
 - (3) Inserting a severability clause;
 - (4) Changing the effective date from July 1, 2050, to upon approval; and
 - (5) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2163, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2163, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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



CLAYTON HEE, Chair



