

STAND. COM. REP. NO.

298

Honolulu, Hawaii

February 18, 2015

RE: H.B. No. 1216
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1216 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 procedures through which grandparents may be given reasonable visitation rights to their grandchildren by amending standards for the court to use in awarding visitation rights to grandparents.

The Department of the Attorney General submitted comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the standard required for an award of grandparent visitation to a showing of significant harm if visitation were denied, in order to meet the strict scrutiny inquiry required by the United States and Hawaiian Supreme Courts of a statute that implicates a parent's fundamental rights; and
- (2) Changing the effective date to July 1, 2050, to encourage discussion.

HB1216 HD1 HSCR HUS HMS 2015-1893



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. 1216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1216, H.D. 1, and be referred to the Committee on Judiciary.

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



DEE MORIKAWA, Chair



