STAND. COM. REP. NO. Honolulu, Hawaii , 2016 H.B. No. 1585 RE: H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1585, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GUARDIANSHIP,"

begs leave to report as follows:

The purpose of this measure is to amend the law relating to guardianships of incapacitated adults by prohibiting guardians of a ward from restricting the personal communication rights of the ward, including the right to receive visitors, telephone calls, and personal mail, unless it is deemed to pose a risk to the safety and well-being of the ward by the guardian.

The Catherine Falk Organization and a concerned individual supported this measure. The Judiciary provided comments.

Your Committee has amended this measure by clarifying that the guardian of a ward is allowed discretion to restrict the personal communication rights of the ward if the personal communication poses a risk to the safety or well-being of the ward.

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. 1585, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1585, H.D. 2.



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

KARL RHOADS, Chair



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## State of Hawaii House of Representatives The Twenty-eighth Legislature



## Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1585, HD 1	Committee Referral: HuS, JUD			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold   Image: Pass short form bill with HD to recommit for future public hearing (recommit) Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A.	(VC)			
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.				
6. HASHEM, Mark J.				
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob				
14. THIELEN, Cynthia	/			
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TOTAL (14)	12			2
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				