

Honolulu, Hawaii  
February 19, 2016

RE: H.B. No. 2131  
H.D. 1

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

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2131 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. Specifically, this measure:

- (1) Deletes duplicative provisions of awarding grandparents reasonable visitation rights; and
- (2) Adds as a prerequisite to awarding visitation that the court finds that awarding custody to a grandparent is in the best interest of the child and that denial of reasonable grandparent visitation rights would cause actual or potential harm to the child.

The Department of the Attorney General provided comments.

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; and



- (2) Allowing a rebuttable presumption that a parent's decision regarding visitation is in the best interest of a child to be rebutted by evidence that denial of reasonable grandparent visitation rights would cause significant harm to the child.

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. 2131, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2131, H.D. 1, and be referred to your Committee on Judiciary.

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



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DEE MORIKAWA, Chair



