STAND. COM. REP. NO. 6

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Honolulu, Hawaii Roman I , 2016

RE: H.B. No. 939

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. 939 entitled:

"A BILL FOR AN ACT RELATING TO AMENDING IDENTITY OF REGISTRANT'S PARENT ON A BIRTH CERTIFICATE,"

begs leave to report as follows:

The purpose of this measure is to clarify that amendments to birth certificates to change or establish the identity of a registrant's parents may be made by the Department of Health only pursuant to a court order or the legal establishment of parenthood in accordance with the Uniform Parentage Act and not as a correction to a personal record under the Uniform Information Practices Act.

The Department of the Attorney General, Department of Health, and Office of Information Practices testified in support of the measure.

Your Committee finds that the Department of Health's authority to amend the identity of parents on a registrant's birth certificate is subject to the requirements for establishing parentage contained in chapter 584, Hawaii Revised Statutes. This type of amendment is not a correction to a personal record under chapter 92F, Hawaii Revised Statutes, because it affects the rights and duties associated with a parental relationship. This measure increases the accuracy of the State's vital records and protects the due process rights of the people affected by an amendment of parentage on a birth certificate.



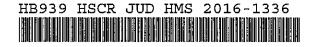
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As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 939 and recommends that it pass Third Reading.

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature

HSCR 6-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 939 HL	$\begin{array}{c} \text{ree Referral:} \\ T_1 J \downarrow D \end{array} \qquad \begin{array}{c} \text{Date:} \\ O 1/21/16 \end{array}$			
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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. SAN BUENAVENTURA, Joy A. (VC)				
3. BELATTI, Della Au				\swarrow
4. BROWER, Tom	×			-
5. CREAGAN, Richard P.	X			
6. HASHEM, Mark J.	\land			
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris	\square			
9. MORIKAWA, Dee				\times
10. NAKASHIMA, Mark M.	×			
11. TAKAYAMA, Gregg	X			
12. WOODSON, Justin H.	X			
13. McDERMOTT, Bob	-			\searrow
14. THIELEN, Cynthia	A			
TOTAL (14)	11	.0-	0	3
The recommendation is: Adopted 🖸 Not 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				