

STAND. COM. REP. NO.

58

Honolulu, Hawaii

February 1, 2017

RE: H.B. No. 983

H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 983 entitled:

"A BILL FOR AN ACT RELATING TO CHILD VISITATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow the family court to award reasonable visitation rights by a grandparent of a minor child based on an additional finding by court that denial of reasonable visitation would cause actual or potential harm to the child;
- (2) Establish a rebuttable presumption that a parent's decision regarding visitation is in the best interest of the child;
- (3) Provide that in awarding reasonable grandparent visitation, the court shall be guided by the provisions for parent visitation under section 571-46, Hawaii Revised Statutes (HRS); and
- (4) Provide that a grandparent of a minor child is subject to court sanctions in accordance with section 571-81, HRS, for violating the terms and conditions of an order awarding reasonable visitation.

HB983 HD1 HSCR HUS HMS 2017-1747



Two individuals testified in support of this measure. The Hawaii State Bar Association Family Law Section opposed this measure. The Department of the Attorney General commented on this measure.

Your Committee has amended this measure by:

- (1) Requiring a finding that denial of reasonable visitation would cause significant harm to the child when awarding reasonable visitation rights by a grandparent of a minor child;
- (2) Changing the effective date to July 1, 2075, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

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. 983, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 983, 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



