STAND. COM. REP. NO. [D] 9

Honolulu, Hawaii

MAR 0 1 2019

RE: S.B. No. 947

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 947, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILIES,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the disability of a parent or caregiver from being the sole factor in determining fitness as a foster parent, adoptive parent, guardian, parent seeking custody or visitation, or provider of a safe family home.

Your Committee received testimony in support of this measure from Disability and Communication Access Board, Americans for Democratic Action, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the court makes a decision regarding the custody, visitation, adoption, or guardianship of children based on the welfare and best interests of the child. However, in making that determination, the disability of a parent or guardian should not be the basis for denial or restriction of custody, visitation, adoption, or guardianship of children. This measure expressly prohibits the disability of a parent or guardian from being the sole factor in determining fitness.

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 S.B. No. 947, S.D. 1, and recommends that it pass Third Reading.

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

KARL RHOADS, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:* Committe  SIS 947 SD1 HM5	e Referral:	_ Da	te: 2/26	119
The Committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye /	Aye (WR)	Nay	Excused
RHOADS, Karl (C)				
WAKAI, Glenn (VC)				
GABBARD, Mike				
KIM, Donna Mercado	V			
FEVELLA, Kurt				V
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TOTAL		9	4	
Recommendation:  Adopted  Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original File with Committee Report Cerk's Office Drafting Agency Committee File Copy				