

Honolulu, Hawaii
, 2020

MAY 11

RE: S.B. No. 2603
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 2603, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURTS,"

begs leave to report as follows:

The purpose of this measure is to assist family courts in determining the best interest of children when making custody decisions. Specifically, this measure gives guidance to family courts by:

- (1) Establishing rebuttable presumptions that it is not in the best interests of a child to grant custody or unsupervised visitation to a person if the person or anyone in the household in which the person resides:
 - (A) Has convictions for a violent or sexual offense, in which the victim was a minor;
 - (B) Has a conviction of murder, in which the victim was the other parent; or
 - (C) Is required to register as a sex offender;



- (2) Requiring a court to consider registration as a sex offender a presumption of risk that affects the burden of producing evidence; and
- (3) Specifying that a court shall not disclose certain information about a child or the custodial parent of the child, unless it is in the best interests of the child.

Your Committee received testimony in support of this measure from The Sex Abuse Treatment Center and six individuals.

Your Committee finds that this measure will assist family courts in making custody decisions by creating a rebuttable presumption of significant risks to a child to ensure that children are not placed into the custody of or given unsupervised visitation with persons who are deemed likely to harm the child or jeopardize the child's safety.

Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2603, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2603, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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



JOY A. SAN BUENAVENTURA, Chair



