



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY- FIRST LEGISLATURE, 2021**

ON THE FOLLOWING MEASURE:

H.B. NO. 1096, RELATING TO PARENTAGE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

DATE: Tuesday, February 9, 2021 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325, Via Videoconference

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Brandon K. Flores,
Deputy Attorney General, at Child Support Enforcement
Agency at 208-0877)

Chair Nakashima and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of the bill and provides the following comments.

The purpose of this bill is to amend the Uniform Parentage Act (UPA), codified as chapter 584, Hawaii Revised Statutes (HRS), to allow non-gestational partners of any gender identity to voluntarily establish parentage at the time of a child's birth. The effect of the proposed changes expands the class of people who may establish parentage through the voluntary establishment of paternity process.

There may be unintended effects resulting from this bill. First, the bill, on page 5, lines 6 through 8, defines "[g]estational parent" as "the partner, of any gender identity, in a married or unmarried relationship who gives birth to the child." Under this definition, male same-sex couples could be precluded from establishing parentage at the time of birth. Second, the bill, on page 5, lines 9 through 14, defines "[n]on-gestational parent" as "the partner, of any gender identity, in a married or unmarried relationship with the gestational parent . . . provided that neither partner is legally married to another person at the time of the child's birth." This would end the current practice of allowing a biological father who is legally married to someone else to sign a voluntary acknowledgment of parentage form.

This bill may also create some inconsistencies within chapter 584. For example, section 584-4 presumes that a man who signs a voluntary acknowledgment of paternity is the natural father of the child; section 584-6 states that a man may bring an action for the purpose of declaring the existence of a father and child relationship; and section 584-17 allows for the enforcement of the judgment or order against a father. It is not clear whether these same rights and responsibilities would apply to non-gestational partners of a gender identity that is not male. Therefore, it may be necessary to amend the entire UPA to consistently use gender-neutral terminology throughout so that non-gestational partners of any gender identity receive the same recognition, rights, and responsibilities currently provided to fathers.

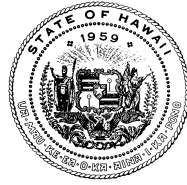
Further, the amendments to section 584-3.5, HRS, appear to be internally inconsistent. Subsection (a) states that this process should be provided to unwed parents. (See page 1, line 13). However, the definitions of "gestational parent" and "non-gestational parent" allow either to be in a married relationship, provided that a non-gestational parent may not establish co-parentage unless neither partner is legally married to another person at the time of the child's birth. (See page 5, lines 6 through 14). Finally, the word "paternity" was not changed to "parentage" on page 6, line 18.

The Department recommends that the bill include an additional requirement that parents who seek to expedite the process of parentage establishment have the opportunity to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about parentage establishment. This is required by federal law. 45 CFR. § 303.5(g)(2)(i)(D). We propose adding a new subsection (a)(4) on page 2, line 19:

- (4) The opportunity to speak with staff, either by telephone or in person, who are trained to clarify information and answer questions about parentage establishment.

Because of the complexity of the bill, the Department would welcome the opportunity to work with the legislature to achieve the intended purpose of this bill.

Thank you for the opportunity to provide testimony.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on HB1096
RELATING TO PARENTAGE.

REP. MARK M. NAKASHIMA, CHAIR
HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hearing Date: February 9, 2021

Room Number: N/A

1 **Department Testimony:** The Department of Health (DOH) takes no position on the public
2 policy merits of this measure but expresses concerns about deviations from federal vital records
3 guidelines and questions whether the role of the courts is inappropriately diminished.

4 At a minimum, DOH recommends preserving the existing paternity establishment laws by
5 adding an “or” to Page 2, Line 2 and unstriking the wording. There are federal vital records
6 guidelines, as well as other obligations, such as to report child support enforcement, that may be
7 impacted. These unintended consequences must be identified and their risks weighed.

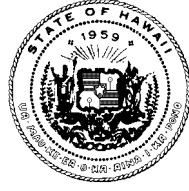
8 In non-voluntary paternity cases, paternity, or as proposed parentage, is amended through a court
9 order. The record is amended only after DOH received a certified court order of parentage
10 submitted by either the parents-to-be or their legal representation, including relevant forms. The
11 role of DOH is ministerial only, to document the transaction. Although the proposal seems
12 intended to establish voluntary parentage, it may require DOH to determine the substance of
13 who may claim parentage regardless of pre-existing biological or legal relationships, which is
14 outside the ministerial function of the department and usually the purview of the courts.

1 The department recommends discussion on this measure to be paused while relevant agencies are
2 consulted and a more thorough review of statutes can be performed.

3 **Offered Amendments:**

4 "**§584-3.5 Expedited process of [~~paternity.~~] parentage.** (a) To
5 expedite the establishment of [~~paternity,~~] parentage, each
6 public and private birthing hospital or center and the
7 department of health shall provide unwed parents of any gender
8 identity the opportunity to voluntarily acknowledge the
9 [~~paternity]~~ parentage of a child during the period immediately
10 prior to or following the child's birth. The voluntary
11 acknowledgment of [~~paternity]~~ parentage shall be in writing and
12 shall consist of a single form signed under oath by both the
13 natural mother and the natural father or gestational parent and
14 the non-gestational parent and signed by a witness.

LATE



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
**Hawai‘i State Commission on the Status of
Women**

Support for HB1096
February 8, 2021

Aloha Chair Nakashima, Vice Chair Matayoshi, and Honorable Members,

The Hawai‘i State Commission on the Status of Women supports HB1096, which amends the Uniform Parentage Act to allow non-gestational partners to voluntarily establish parentage of a child during the period immediately prior to or following the birth of the child. The measure also requires the State to recognize parentage determinations from other states and territories.

The Commission fights for equality for transgender and queer women. This measure is an opportunity to protect parent-child relationships in the LGBTQ community. At present, heterosexual, cisgender couples are unfairly privileged because are given the assumption that the child born is a legal child of both parents.

Accordingly, the Commission asks that the Committee pass HB1096.

Sincerely,

Khara Jabola-Carolus

HB-1096

Submitted on: 2/7/2021 11:47:39 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports HB 1096.



TO: House Committee on Judiciary and Native Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

DATE: Tuesday, February 9, 2021

FROM: AF3IRM Hawai'i

RE: HB 1096- Relating to Parentage
Position: SUPPORT

My name is Sarah Michal Hamid and I am testifying on behalf of AF3IRM Hawai'i in support of House Bill 1096, otherwise known as the LGBTQ+ Family Justice Bill. LGBTQ+ parents are whole, valid, and real, but in Hawai'i they are treated as wrong. "Paternity" law, otherwise known as the Uniform of Parentage Act in Hawai'i only allows male partners of people for unmarried couples giving birth in hospitals to voluntarily establish their parental rights at the time of birth. LGBTQ+ parents are forced to obtain post-birth adoption decrees that cost thousands of dollars, placing an extreme financial and emotional burden on queer families. Restricting establishing parenthood to those who identify as male is an unconstitutional restriction based on cisheteronormative concepts of parenthood and is not based on ensuring a biological relationship between parent and child.

The "Expedited process of paternity" statute negatively impacts a protected class by limiting the abilities of LGBTQ+ parents to establish parental rights as easily as their cisgendered, heterosexual peers, solely on the basis of gender identity. There is no legitimate purpose to only allow male partners to establish parentage in a system in which corresponding automatic genetic testing to establish biological relationships between non-gestational parent and the child do not exist at the time of birth; the fertility of the non-gestational partner is not considered in the establishment of paternity at birth and therefore the restriction on non-male-identifying partners from exercising the option to establish their parental rights in this manner is not substantially related to any proposed purpose of an expedited process of volunteering parentage. HB 1096 would correct a vital technicality that would considerably improve the conditions of LGBTQ+ people in Hawai'i. These amendments will open and allow voluntary establishment of parenthood to all partners of a birthing person, regardless of the partner's gender identity or biological contribution to the child. COVID-19 has not only exacerbated the stigma faced in hospitals by queer families, but financial stress too--granting equal rights for LGBTQ+ parents is urgent, HB 1096 is the fix we need for a future without LGBTQ+ oppression.

Mahalo for your time and dedication to LGBTQ+ rights in Hawai'i.

HB-1096

Submitted on: 2/7/2021 10:21:07 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	No

Comments:

Aloha Representatives,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports HB 1096

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i

HB-1096

Submitted on: 2/7/2021 10:47:58 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nora Pollard	Trans Hawai'i Project	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Trans Hawai'i Project strongly supports this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Nora Pollard and I strongly support this measure. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

As a transgender woman, and as a lesbian, I don't know what my family will look like in the future. Society hasn't shown me many examples of people like me older and happier with children or even grandchildren. All I know is that regardless of whether I have biological children or adopt, it will be challenging past the trouble most cis, heterosexual couples have to deal with in the pursuit of parenthood. I don't want this for myself, and I definitely don't want it for the young LGBTQ+ people who follow behind me. We deserve better and I'm glad to support a bill that takes steps towards making that future a little easier to see.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a

birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Nora Pollard

On behalf of Trans Hawai‘i Project

LATE

HB-1096

Submitted on: 2/9/2021 8:30:14 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sunny Chen	Healthy Mothers Healthy Babies	Support	No

Comments:



healthy mothers
healthy babies
COALITION OF HAWAII

Testimony in Support of HB 1096 - Relating to Parentage

Dear Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Healthy Mothers Healthy Babies Coalition of Hawaii strongly supports this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i.

Healthy Mothers Healthy Babies is a local nonprofit agency that is part of a network of organizations and individuals committed to improving Hawaii's maternal, child and family health through collaborative efforts in programs, public education, advocacy and partner development. We support all parents and their right to do so. LGBTQ+ parents deserve the right to establish parentage without hindrance, obstruction or discrimination.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sunny Chen

Healthy Mothers Healthy Babies Coalition of Hawaii

LATE



Hawaii Women's Coalition

TO: House Committee on Judiciary and Native Hawaiian Affairs
Representative Mark M. Nakashima, Chair
Representative Scot Z. Matayoshi, Vice Chair

DATE: Tuesday, February 9, 2021

FROM: Hawai'i Women's Coalition

RE: HB 1096- Relating to Parentage

Position: SUPPORT

The Hawai'i Women's Coalition testifies today in support of House Bill 1096, otherwise known as the LGBTQ+ Family Justice Bill. LGBTQ+ parents are whole, valid, and real, but in Hawai'i they are treated as wrong. "Paternity" law, otherwise known as the Uniform of Parentage Act in Hawai'i only allows male partners of people for unmarried couples giving birth in hospitals to voluntarily establish their parental rights at the time of birth. LGBTQ+ parents are forced to obtain post-birth adoption decrees that cost thousands of dollars, placing an extreme financial and emotional burden on queer families. There is no legitimate purpose to only allow male partners to establish parentage in a system in which corresponding automatic genetic testing to establish biological relationships between non-gestational parent and the child do not exist at the time of birth; the fertility of the non-gestational partner is not considered in the establishment of paternity at birth and therefore the restriction on non-male-identifying partners from exercising the option to establish their parental rights in this manner is not substantially related to any proposed purpose of an expedited process of volunteering parentage. HB 1096 would correct a vital technicality that would considerably improve the conditions of LGBTQ+ people in Hawai'i. These amendments will open and allow voluntary establishment of parenthood to all partners of a birthing person, regardless of the partner's gender identity or biological contribution to the child. COVID-19 has not only exacerbated the stigma faced in hospitals by queer families, but financial stress too--granting equal rights for LGBTQ+ parents is urgent, HB 1096 is the urgent fix we need for a future without LGBTQ+ oppression.

Mahalo for your time and dedication to LGBTQ+ rights in Hawai'i.

Hawai'i Women's Coalition

HB-1096

Submitted on: 2/7/2021 1:31:44 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Michal Hamid	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Sarah Michal Hamid and I strongly support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

As a lesbian woman, I know the intimate realities of discrimination that LGBTQ+ people face in Hawai'i, and knowing that our families are not even regarded as valid increases the daily anxieties I have as a queer person. I fear that when I choose to start a family I will have to pay thousands of dollars and undergo an extremely emotional process, all while hearing from childbirth. Our families and communities deserve better, and this bill provides a tangible way to support and affirm that LGBTQ+ parents are valid and should be treated as such.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to

appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Sarah Michal Hamid

HB-1096

Submitted on: 2/7/2021 2:10:48 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Wong	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Maile Wong and I strongly support this measure and will provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

As a gay woman who would one day like to be a mother, I am frustrated and terrified that in the state of Hawai'i LGBTQ+ families and children are not included, protected, and empowered in policy. The stigma and fear of the LGBTQ+ community that exists still is amplified and reflected in the lengthy and expensive process required to establish my parental rights. In Hawai'i, the family is critical; it is central to culture and identity. I am appalled that the state does not extend the same right for heterosexual couples as they do for queer and LGBTQ+ families. Hawai'i has thousands of LGBTQ+ residents and our representatives have a duty to show us that we are valid and equal.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school,

establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Maile Wong

HB-1096

Submitted on: 2/7/2021 2:29:10 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Autumn-Raine Hesia	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Autumn-Raine Kahā• kā« Hesia and I strongly supports this measure and will provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

Being a gay Hawaiian woman in Hawai'i I have become accustomed to the stigma and mistreatment that we experience. Despite our kā«puna practicing open, loving, and LGBTQ+ accpeting relationships for generations, we now feel shame when it comes to the ones we love. This applies to our families relationships too, and I have seen firsthand the many ways that as LGBTQ+ people we are not treated as equal in Hawai'i. One example is the unfortunate reality that we are forced to adopt our own children, needing thousands of dollars and a lawyer in order to prove that we are valid as parents. Knowing that one day my children will have to be adopted by either me or my partner makes me not only angry but dissapointed too. Our families are integral to who we are and LGBTQ+ families deserve to be treated with the respect we deserve. I want to live in a world where my keiki don't have to explain the process by which their parents became legally theirs, because for them it will never be a question. We have the chance to change the way generations of LGBTQ+ families will be treated, and HB 1096 is the way.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and

emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Autumn-Raine Kahā• kā« Hesia

HB-1096

Submitted on: 2/7/2021 3:02:29 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nikki-Ann Yee	Individual	Support	No

Comments:

I support HB1096 which would allow for non-binary, trans, and queer parents who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

HB-1096

Submitted on: 2/7/2021 4:42:34 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Cu Ri Lee	Individual	Support	No

Comments:

Testimony in Strong Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. As an long-time community advocate on issues relating to marginalized women, I strongly support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+

parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Cu Ri Lee

HB-1096

Submitted on: 2/7/2021 6:58:22 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

JHA Committee Members:

As a concerned community citizen and public health professional, I am writing in **STRONG SUPPORT for HB1096** which would allow for ALL parents (including non-binary, trans, and queer parents) who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

It has been well established that the health of children is strongly influenced by having stable, loving, and dedicated parents, regardless of sexuality and/or gender status (<https://pediatrics.aappublications.org/content/131/4/e1374>). To ensure the health of our local children and the future generations of Hawai'i, I urge you to pass measure HB1096.

With aloha,

Thaddeus Pham

HB-1096

Submitted on: 2/7/2021 7:05:21 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorenzo Perillo	Individual	Support	No

Comments:

I support HB1096 which would allow for non-binary, trans, and queer parents who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

HB-1096

Submitted on: 2/7/2021 7:08:08 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jasmine Pontillas Davé	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Jasmine Pontillas Davé and I am an attorney and advocate for intersectional gender-based equality. I strongly support this measure and provide comments to highlight the issues this bill will resolve in the current law. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 corrects an unconstitutional restriction in the law and allows a partner of a birthing person the right to voluntarily establish parenthood, regardless of the partner's gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families. These amendments would considerably improve the conditions of LGBTQ+ people in Hawai'i.

The existing "Paternity" law, otherwise known as the Uniform Parentage Act, only allows male partners of people giving birth in hospitals to voluntarily establish their parental rights at the time of birth. This forces non-male parents to obtain post-birth adoption decrees that cost thousands of dollars, placing an extreme financial and emotional burden on queer families.

Restricting the right to voluntarily establish parenthood by gender-identity is an unconstitutional restriction based on cisheteronormative concepts of parenthood and is not based on ensuring a biological relationship. The existing statute negatively impacts a protected class by limiting the abilities of LGBTQ+ parents to establish parental rights as easily as their cisgendered, heterosexual peers, solely on the basis of gender identity.

There is no legitimate governmental purpose for a gender-based restriction. No genetic testing is needed to establish a biological relationship between the non-gestational parent and the child. The fertility of the non-gestational partner is not considered in the establishment of paternity at birth. Thus, the restriction on non-male partners from exercising the option to establish their parental rights is not substantially related to any proposed purpose of an expedited process of volunteering parentage.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Queer families should no longer face stigma and barriers in establishing their parental rights.

Mahalo for your time and dedication to LGBTQ+ rights in Hawai'i.

Sincerely,

Jasmine Pontillas Davé, Esq.

HB-1096

Submitted on: 2/7/2021 9:21:23 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Catherine Ritti	Individual	Support	No

Comments:

I'm writing in support of SB 618. Currently, LGBTQ+ parents face discriminatory barriers to voluntarily establishing parentage of a child. Cisgender heterosexual men are not questioned when establishing voluntary parentage of a child, while parents who identify as LGBTQ+ must face huge financial burdens to establish parentage. This is unfair treatment plain and simple and the law needs to be changed to include all families.

Please support this bill.

Thank you,

Catherine Ritti

HB-1096

Submitted on: 2/7/2021 9:33:39 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maddalynn Seseapasara	Individual	Support	No

Comments:

I am in full support of HB1096,It should matter as long as the child is loved and in a safe home. Mahalo,

HB-1096

Submitted on: 2/7/2021 9:39:36 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
yvonne mahelona	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I strongly support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Yvonne Mahelona and I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for

both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

HB-1096

Submitted on: 2/8/2021 1:50:51 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Mark Hideaki Salisbury	Individual	Support	No

Comments:

Aloha JHA Committee,

Mahalo for bringing this bill to a hearing.

As you all may remember, in 2019, Hawai`i became one of a dozen states that created a right to parent for people with disabilities to have children. Until that point, parents with disabilities could have our children ripped away from us, we could be denied adoption or foster care opportunities, and it was a big mess. We would never have succeeded in that fight if not for the help of the LGBTQIA community. The LGBTQIA community understands issues with parental rights because they experience these struggles so often, and it also comes purely from prejudice. It is my kuleana to return the favor of help, but it is also just the right thing to do.

Giving a child a safe, loving, and stable home is definitely in the best interests of the child. Please do this for the keiki.

Mahalo nui,

Justin MH Salisbury

HB-1096

Submitted on: 2/8/2021 7:30:42 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gloria Palma	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I strongly support this bill and I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

HB-1096

Submitted on: 2/8/2021 7:33:28 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

Please pass HB285.

Mike Golojuch, Sr.

HB-1096

Submitted on: 2/8/2021 7:57:18 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kevin landers	Individual	Support	No

Comments:

Parents are parents. This is just common sense, common decency - especially in the context of colonial violence. It's the least we can do to begin towards repair.

HB-1096

Submitted on: 2/8/2021 8:37:43 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anika Martin	Individual	Support	No

Comments:

An individual's gender identity does not justify their status as a parent. I support HB1096 because regardless of one's gender identity, they should be able to claim their child as their own. Besides, how did someone's gender identity control someone's ability to be a parent?

HB-1096

Submitted on: 2/8/2021 8:48:41 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Wallace Engberg	Individual	Support	No

Comments:

I support HB1096 which would allow for non-binary, trans, and queer parents who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

HB-1096

Submitted on: 2/8/2021 9:05:43 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Terina Faagau	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Terina Fa'agau, I strongly support this measure. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender-neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

It is vital that the rights of all parents, regardless of gender or sexuality, are recognized. Not only is this matter important for Hawai'i's LGBTQ+ individuals and community but also for Hawai'i's keiki and future generations of children who are increasingly raised in what some might consider "non-traditional" households. **Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" – LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to

appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Terina Fa'agau

HB-1096

Submitted on: 2/8/2021 9:45:30 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sean Taylor	Individual	Comments	No

Comments:

I support the intent to update Hawaii's UPA to address the needs of the modern era. That is long overdue. But this bill doesn't do enough. Please consider adding language that would allow couples that have children by gestational surrogates (aka gestational carriers) to establish parentage by pre-birth court order.

In the last 4 years, my husband and I have had 2 children with the help of gestational surrogates. In both cases, all parties signed surrogacy agreements, leaving no doubt about who the intended parents were. In some states, couples in circumstances like this are able to get pre-birth court orders to establish their legal rights upon the birth of the child. But not here. Here you have to wait months after birth --as long as 10 months in my experience--and incur thousands of dollars in legal expenses to establish your legal rights as parents. This creates lots of unnecessary uncertainty and expense for intended parents. Let's please fix this. There are good models out there, including the Uniform Law Commission's 2017 updates to the Uniform Parentage Act. See <https://www.uniformlaws.org/committees/community-home?CommunityKey=c4f37d2d-4d20-4be0-8256-22dd73af068f>. (see also HB2646/ and companion bill SB2632 from 2018 session).

Thank you,

Sean Taylor

HB-1096

Submitted on: 2/8/2021 10:17:59 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Kau'i Losalio	Individual	Support	No

Comments:

All queer and trans parents should be allowed to establish their parental rights without engaging in a discriminatory and expensive adoption process.

HB-1096

Submitted on: 2/8/2021 11:09:31 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Monique DeSimone	Individual	Support	No

Comments:

The Uniform Parentage Act as it currently stands discriminates against queer families and our ability to establish parental rights under law without unjust burden. I strongly urge you to pass this measure, and end the unconstitutional restriction on the equal rights of LGBTQ+ people and our paths to parenthood.

As a lesbian parent who recently welcomed my son, Teddy, last June, I speak firsthand to the hardship of pursuing a family as an LGBTQ+ couple. From locating a donor that ethnically represented our family and provided uncontested legal protection against paternity disputes, to finding medical providers who did not actively discriminate against us, on top of the costs of actual fertility procedures, there were countless hurdles we faced along the path to building our family, both emotionally and financially.

As the non-gestational parent to Teddy, there were many hours spent consulting with a lawyer regarding the security of my parental rights in various scenarios, as the non-biological parent. I am no less his mother than the woman that birthed him. Yet every step of the way, I am questioned; because I'm not a cis-hetero man. LGBTQ+ people already face tremendous obstacles on this parenthood journey. Forcing us to additionally spend upwards of \$20,000 to adopt our own children is discriminatory and cruel.

Biology, gender identity, and marriage should not be determinants of who is granted the opportunity of parenthood under law, nor are they markers of what makes a family legitimate. Queer people know better than anyone that family goes beyond biology. As you know, legal parenthood has a tremendous impact on a parent's ability to care for their child. It allows them to enroll in school, make medical decisions, and legally travel with the child. If male partners have the ability to volunteer parenthood, queer partners should be able to do the same. Mahalo for the opportunity to testify on HB 1096, and for your consideration of this critical bill.

HB-1096

Submitted on: 2/8/2021 12:09:10 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mykie E. Menor Ozoa-Aglugub	Individual	Support	No

Comments:

My name is Mykie E. Menor Ozoa-Aglugub and I strongly support HB1096. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male-identified partners of birthing people are afforded the option to voluntarily establish parenthood over a child. Male partners are assumed to be the biological parent of the child, without any DNA test or additional confirmation. However, this same right is not afforded to female, non- binary, and queer partners. This is an unconstitutional restriction on the rights of parents who do not identify as male. The law should not uphold discriminatory and outdated notions that parents must consist of one “mother” and one “father.” This inequity forces queer parents to obtain costly post-partum adoption decrees for legal recognition as their child’s valid parents. Our laws need to reflect our current understanding of families because the existing language excludes many of them and doesn’t reflect the experience of thousands of valid parents in Hawai’i.

Thank you for your time and kind consideration,

Mykie E. Menor Ozoa-Aglugub, J.D.

HB-1096

Submitted on: 2/8/2021 1:42:43 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
May Nachum	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Love is love. A child deserves to be cared for by those who love the child, regardless of gender/sexual orientation! A child deserves the care of 2 parents if that is a possibility, regardless of the parents gender.

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is May Nachum and I strongly support this measure. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

With Aloha,

May Nachum

HB-1096

Submitted on: 2/8/2021 1:50:30 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Galacgac	Individual	Support	No

Comments:

Dear Chair Nakashima, Vice Chair Matayoshi, and Members of the House Committee on Judiciary & Hawaiian Affairs,

My name is Ashley Galacgac and I strongly support HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. As a proud member of the LGBTQIA+ community, this bill will directly impact the lives of loving couples, like my partner and me. Both born and raised here in Hawai'i, we dream to raise our future children here.

Like all couples, my partner and I are doing our due diligence with our family planning to ensure the best for our future children. It has been disheartening to listen to countless stories of friends and colleagues in our community jump through legal and financial hoops. This is on top of the struggle to even conceive their children and then struggle to gain full parental rights with the adoption process. These friends and colleagues serve as an inspiration for me to not only learn from the hardships of LGBTQIA+ couples but also fight against the injustice.

This measure would ensure that discrimination will be addressed across the board. Some couples were allowed to be on the birth certificate, while others were not. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" as LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender-neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families. The bill would update the law to give the legal rights, recognition, and protection LGBTQ+ families also deserve.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Without this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

I urge you to pass this measure and affirm the rights of LGBTQ+ parents. Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Ashley Galacgac

HB-1096

Submitted on: 2/8/2021 1:52:00 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair,

Strong support for this measure that would address discrimination against LGTBQ prospective parents under current Hawaii statute.

Please pass,

Mahalo

LATE

HB-1096

Submitted on: 2/8/2021 2:32:18 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Balgos	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Alexandra Balgos, and I strongly support this measure. I urge you to pass this measure to end discrimination against LGBTQ+ parents.

HB 1096 amends the antiquated, unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

As a queer, non-binary individual, I am pleased and relieved that this legislation is being heard. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ justice n Hawai'i and the opportunity to testify on HB 1096.

Alexandra Balgos

LATE

HB-1096

Submitted on: 2/9/2021 7:31:29 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen McKee	Individual	Support	No

Comments:

Sorry for the tardiness of this testimony.

I strongly support HB1096.

Mahalo for considering my testimony.

Eileen McKee

Kihei, 96753

LATE

HB-1096

Submitted on: 2/9/2021 8:51:27 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

My name is Nanea Lo and I'm writing in full support of HB1096. I believe that the Hawai'i uniform of parentage act should be amended and that there should be the establishment of partenthood to all persons, regardless of their gender identity or biological contribution to the child. LGBTQ+ parents face queer parent penalty, and must pay thousands of dollars to obtain adoption decree for their child in the current processes and its not right. Non-binary, trans, and all parents who don't identify as male should be able to establish parental rights in a manner that honor their gender identity and valdidity as a parent without calling thier bodies into quesiton.

Please suppor this bill today.

me ke aloha 'Ä• ina,

Nanea Lo

LATE

HB-1096

Submitted on: 2/9/2021 9:23:08 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Smith-Johnson	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Tanya Smith-Johnson and I strongly support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I strongly urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

As a heteronormative, cis gender mother who has birthed 6x, I know the privilege that it is to be able to automatically know my partner will be named on the birth certificate without question or push back. I know the privilege in being able to have the system acknowledge and work for me in ways it doesn't for others. I couldn't imagine being denied the right to establish parenthood of my children, It is hard for me to conceptualize the obstacles laid in the path of non-binary, queer and female partners of birthing people.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Tanya Smith-Johnson, MS, CPM

HB-1096

Submitted on: 2/9/2021 1:30:34 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marie Antonette Ramos	Individual	Support	No

Comments:

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Marie Ramos and I strongly support this measure. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB 1096.

Marie Ramos

HB-1096

Submitted on: 2/9/2021 2:22:40 PM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mackenzie Ozoa	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Nakashima, Vice Chair Matayoshi, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM Hawai'i strongly supports this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Mackenzie Ozoa and I strongly support this measure. I urge you to pass this measure and eliminate discrimination against LGBTQ+ parents.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school,

establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Mackenzie Ozoa

On behalf of AF3IRM Hawai'i