

Honolulu, Hawaii

FEB 23 2022

RE: S.B. No. 2747

S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2747 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM PARENTAGE ACT,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal and replace the Uniform Parentage Act of 1973 with the Uniform Parentage Act of 2017.

Your Committee received testimony in support of this measure from the Judiciary, Stonewall Caucus of the Democratic Party of Hawai'i, Commission to Promote Uniform Laws, Hawai'i Women Lawyers, and two individuals. Your Committee received testimony in opposition to this measure from Truth in Adoption and four individuals. Your Committee received comments on this measure from the Department of the Attorney General, Donor Sibling Registry, and one individual.

Your Committee finds that existing parentage laws reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. Under existing 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. As a result, non-male LGBTQ+ parents are subject to a "queer parent penalty". That is, female, non-binary, and queer partners are forced to undergo extreme financial and emotional



burdens to obtain an adoption decree for legal recognition as their child's parent. This measure amends the Hawaii Revised Statutes to update existing paternity laws to reflect modern concepts of family, parenthood, and parental rights.

Your Committee notes that the task force to recommend updates to existing parentage laws needs more time to resolve various issues and concerns identified in its reports to the 2022 Legislature.

Accordingly, your Committee has amended this measure by:

- (1) Deleting language that would have enacted the new Uniform Parentage Act;
- (2) Deleting language that would have repealed the current Uniform Parentage Act;
- (3) Inserting language that amends Act 201, Session Laws of Hawaii 2021, which established a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights, as follows:
  - (A) Clarifying that the Department of the Attorney General shall be a joint convener with the Department of Health;
  - (B) Clarifying that a representative from the Department of the Attorney General shall be a co-chairperson with the Director of Health;
  - (C) Specifying that the task shall submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than forty days prior to the convening of the Regular Session of 2023; and
  - (D) Specifying that the task force shall be dissolved on December 31, 2022;
- (4) Making it effective upon its approval; and



- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2747, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2747	JDC	02-17-22

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	7	-	-	-

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature: *Karl Rhoads*

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\*Only one measure per Record of Votes