

Honolulu, Hawaii

MAR 02 2023

RE: S.B. No. 109
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 109 entitled:

"A BILL FOR AN ACT RELATING TO GENDER-NEUTRAL TERMINOLOGY,"

begs leave to report as follows:

The purpose and intent of this measure is to replace gender-specific terminology used in adoption and divorce matters with gender-neutral terminology.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, and nine individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that gender-inclusive language is a powerful way to promote gender equality and remove gender bias from this world. The usage of gender-neutral terminology allows individuals to have a safe space that does not perpetuate the exclusion of gender nonconforming individuals from the legal system. This, alone, empowers success, promotes inclusiveness, and demonstrates respect for all backgrounds. This measure will ensure that all individuals are recognized and respected in the legal system, regardless of their gender identity.



Your Committee has amended this measure by:

- (1) Incorporating the changes proposed by the Department of the Attorney General by:
 - (A) Replacing the references to "mother" with "birthing parent" and replacing the references to "father" with "non-birthing parent" throughout;
 - (B) Replacing the references to "stepfather" with "birthing parent's spouse" throughout; and
 - (C) Replacing the reference to "uncle and niece, aunt and uncle" with "a person and the person's biological sibling";
- (2) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (3) 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. 109, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 109, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 109	Committee Referral: JDC	Date: 2/9/23
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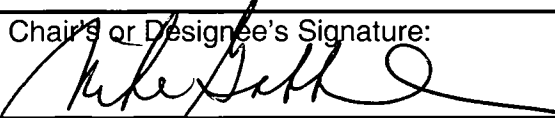
The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

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

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)		✓		
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	3	1	1	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**