

STAND. COM. REP. NO.

1423

Honolulu, Hawaii

MAR 28 2023

RE: H.B. No. 384
H.D. 2
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 H.B. No. 384, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PARENTAGE,"

begs leave to report as follows:

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

Your Committee received testimony in support of this measure from the Judiciary, Commission to Promote Uniform State Laws, Stonewall Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Human Services, Hawai'i Women Lawyers, and three individuals.

Your Committee finds that the State has made some amendments over the years to chapter 584, Hawaii Revised Statutes, including the addition of an "expedited process of paternity" in 1996. However, in general, the law has not kept up with the changes in the make-up of families. This measure will ensure the equal treatment of children born to all parents so that no children are needlessly stigmatized and left without the protections and rights that they deserve.



Your Committee has amended this measure by:

- (1) Specifying that each birthing facility shall send to the Department of Health the original acknowledgment of parentage or an electronic version as allowed by statute, so that the birth certificate issued includes the names of the signatories and the genetic parents, and any information attenuated with the genetic parents to the extent that information is available, which shall be promptly recorded by the Department of Health;
- (2) Restoring the \$100 fee for determinations of parent-child relationship;
- (3) Restoring the \$50 surcharge for parent education for separating parties in matrimonial actions, where either party has a minor child, and for parties in parentage actions;
- (4) Inserting an effective date of March 22, 2075, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that if the Parentage Task Force of the Department of Health continues its work, then it is encouraged to suggest further amendments.

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 H.B. No. 384, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 384, H.D. 2, 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.:* HB 384 HD2	Committee Referral: JDC	Date: 3/16/23
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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	2	2	—	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes