

STAND. COM. REP. NO.

1753

Honolulu, Hawaii

APR 02 , 2025

RE: S.B. No. 1231
S.D. 1
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1231, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PARENTAGE,"

begs leave to report as follows:

The purpose of this measure is to adopt portions of the Uniform Parentage Act of 2017 to update existing law.

Your Committee received testimony in support of this measure from the Judiciary; Department of Health; Department of the Attorney General; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; Pride at Work - Hawai'i; Fertility Institute of Hawaii; Advanced Reproductive Medicine & Gynecology of Hawaii, Inc.; Commission to Promote Uniform Legislation; North Shore Ko'olau Diversity Collective; Uniform Law Commission; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Women Lawyers; Lambda Law Hawai'i, a Law Student Association at the William S. Richardson School of Law; U.S. Donor Conceived Council; and numerous individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Hawai'i State Commission on Fatherhood and three individuals.

2025-2896 SB1231 HD1 HSCR HMSO



Your Committee finds that the State's existing parentage laws do not fully reflect modern family structures, advances in reproductive technology, or evolving legal concepts of parenthood. Your Committee further finds that the Uniform Parentage Act of 2017 provides a comprehensive framework that ensures equal treatment for children of same-gender couples, recognizes functional parents as legal parents, and includes provisions for surrogacy and assisted reproductive technology. This measure adopts portions of the Uniform Parentage Act of 2017 to modernize the law, ensuring it aligns with contemporary family dynamics and provides clear legal protections for all parents and children in the State.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "birthing hospital";
- (2) Allowing a presumed parent, rather than a functional parent, to sign an acknowledgment of parentage;
- (3) Clarifying which staff are not subject to liability for a negligent act or omission relative to the accuracy of the information provided regarding the voluntary acknowledgment of parentage or for filing the declaration with the appropriate state or local agencies;
- (4) Amending the confidentiality provisions related to certain parentage actions, proceedings, and records, including birth certificates;
- (5) Clarifying when a court must adjudicate parentage in the best interest of the child;
- (6) Clarifying when a court must deny the request for genetic testing;
- (7) Clarifying that the withdrawal of consent to assisted reproduction must be given to the fertility clinic facilitating the assisted reproduction;
- (8) Clarifying that the intended parent or parents may choose the child's name in situations where the child is

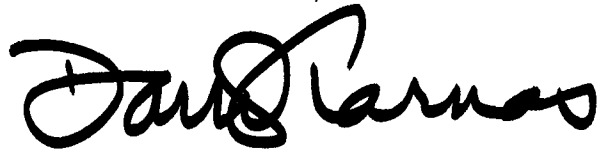


born to a gestational surrogate or genetic surrogate;
and

- (9) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1231, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1231, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 1231 SDI	Committee Referral: JHA	Date: 03/20/2025
--	-----------------------------------	----------------------------

The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.				✓
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris	✓			
10. GARCIA, Diamond			✓	
11. SHIMIZU, Garner M.		✓		
TOTAL (11)				
	7	1	1	2

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: _____

Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO