

Honolulu, Hawaii

March 2, 2018

RE: H.B. No. 1859
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1859, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

begs leave to report as follows:

The purpose of this measure is to allow a minor who is at least 16 years old to petition the Family Court for emancipation under certain conditions.

The Hawai'i Psychological Association testified in support of this measure. The Department of the Attorney General, Department of Human Services, and Hawaii Youth Services Network provided comments.

Your Committee has amended this measure by:

- (1) Deleting redundant language allowing the court to enter an order declaring a minor emancipated if the minor's parents or legal guardians are unable or unwilling to provide basic material support to the minor or have deserted or abandoned the minor;
- (2) Clarifying the necessary elements that must be met before the Family Court grants a petition for emancipation and finds that the minor understands the



rights, responsibilities, and alternatives, if any, to emancipation; and

- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 1859, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1859, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1859 HD	Committee Referral: HHS, JUD	Date: 03/01/2018		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. LEE, Chris	/			
5. MORIKAWA, Dee	/			
6. TAKAYAMA, Gregg	/			
7. McDERMOTT, Bob		/		
8. THIELEN, Cynthia	/			
TOTAL (8)	7	1		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				