

STAND. COM. REP. NO.

730

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 821
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 821, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow a minor who has reached the age of sixteen to petition the family court for emancipation, and direct the court regarding investigation of the petition, appointment of legal counsel and a guardian ad litem for the petitioner, and the findings necessary to grant the petition; and
- (2) Specify the rights gained by the minor upon emancipation and authorize the court to require the minor's parents or legal guardians to pay for any services ordered by the court.

Your Committee received testimony in support of this measure from the Hawai'i Youth Services Network, Harm Reduction Hawai'i, and one individual. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that when a minor who has reached the age of sixteen petitions the family court for emancipation, the



court must act to protect the best interests of the petitioning minor. Your Committee further finds that due to levels of physical and emotional maturity, comparatively low access to resources, and various legal requirements relating to age, safeguards must be established to ensure the minor is not inequitably disadvantaged.

Your Committee notes that other measures have been introduced in the current legislative session that regulate or restrict the ability of minors to marry, and that the potential for conflict between those measures and this measure should they all be enacted may merit further discussion as this measure proceeds through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (2) 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. 821, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 821, S.D. 2.

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



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 821 SD1	Hms, JDC	02/25/2021

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	✓			
TOTAL	7	0	0	0

Recommendation: Adopted Not Adopted

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

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*Only one measure per Record of Votes