

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 406
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. 406, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD VISITATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the court to award reasonable visitation rights to a petitioning grandparent of a minor child when the child's parent is unable to exercise parental visitation due to death or incarceration and denial of reasonable grandparent visitation rights would cause significant harm to the child;
- (2) Set forth procedures, considerations, and standards for the court to grant grandparent visitation rights; and
- (3) Specify that any person who violates the terms and conditions of a court order granting reasonable grandparent visitation rights may be held in contempt of court.

Your Committee received testimony in support of this measure from twelve individuals.



Your Committee finds that the incarceration or death of a parent is a highly traumatic experience for a child. Your Committee believes that grandparents can give critical support to children to help them recover from the loss of a parent by providing the child with cultural and ancestral lessons, important familial medical history, and a sense of belonging. This measure will support children suffering from the traumatic experience of losing a parent by allowing courts to award reasonable visitation rights to a grandparent of a minor child when the child's parent is unable to exercise parental visitation due to death or incarceration.

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. 406, S.D. 1, and recommends that it pass 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 406 SDI	Committee Referral: HHS, JDC	Date: 3/1/23
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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	4	—	1	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes