

**February 11, 2025**

Hawaii Senate Committee on Judiciary  
Conference Room 016  
State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**Re: Testimony in Opposition to SB1231 Unless Amended to Include Updated Article 9 of Uniform Parentage Act**

**Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:**

On behalf of U.S. Donor Conceived Council (USDCC), a nonprofit that advocates for the well-being of donor conceived people, we strongly **oppose** the current version of Senate Bill 1231 **unless it is amended**.

USDCC is an ardent supporter of the 2024 Uniform Parentage Act (UPA). We believe that Hawaii should enact comprehensive parentage protections in line with the 2024 UPA, safeguarding the rights and interests of donor conceived children throughout their lives.

SB1231 includes necessary protections for families formed through assisted reproduction. We commend the bill's efforts to modernize parentage laws and ensure legal security for families formed through assisted reproduction. By updating Hawaii's statutes, SB1231 provides necessary protections for intended parents, surrogates, and children born through assisted reproductive technologies. These provisions help to eliminate legal uncertainty for families, particularly LGBTQ+ parents and single parents by choice.

However, while we support efforts to modernize Hawaii's parentage laws, we strongly **oppose** the current version of Senate Bill 1231 **unless it is amended**. As written, the **bill codifies anonymous gamete donation** into Hawaii law by selectively adopting an **outdated** version of Article 9 of the UPA. In contrast, the updated Article 9—approved by the Uniform Law Commission—would require gamete donors to agree, before donation, to be identifiable to an adult donor conceived person upon request. Anonymous gamete donation in Hawaii has broad impacts beyond the State, as gametes collected in Hawaii are frequently shipped nationally and internationally (such as practices done by Donor Egg Bank USA).

Hawaii should not adopt an outdated version of Article 9 that denies donor conceived individuals the right to access their own genetic information. **Instead, SB1231 should be amended in one of two ways:**

1. **Adopt the updated 2024 version of Article 9**, which includes modernized protections for donor conceived individuals, ensuring they have the right to access information about their genetic origins upon adulthood.
2. **Entirely remove Part 10 from SB1231** if the updated 2024 Article 9 cannot be adopted.

Donor conceived children need protection to ensure they remain with their families. They deserve modern parentage laws that secures legal parentage for donor conceived children and protects their relationships with non-genetic parents. They should not, however, have to sacrifice access to information about their genetic origins in order to obtain these protections. That is what SB 1231 is asking of them. Amending SB1231 to the updated Article 9 ensures both donor conceived children have the protections they need to thrive throughout their life.

Additionally, research and global policy trends increasingly recognize that **anonymous gamete donation is outdated and harmful**. Requiring identity disclosure ensures that a donor conceived person aged 18 years or older can access this information about their genetic origins/birth heritage if desired. Ending anonymity and providing access to identifying information “gives donor-conceived offspring the same rights as other children to know the identity of their legal and genetic parents, a move that is also occurring for adoptees (Cahn, 2018).” Without access to identifying information, donor conceived individuals are deprived of knowledge that can be valuable to identity formation, medical history, and genetic heritage. **SB1231, as drafted, would codify practices harmful to donor conceived individuals.**

**Conclusion: Amend SB1231 to Include Updated Article 9 or to Strike Section 10 (Outdated Article 9)**

Hawaii has an opportunity to adopt parentage laws that protect families while ensuring the rights and well-being of donor conceived people. However, without these necessary amendments, SB1231 will fail to provide the protections donor conceived individuals need and deserve.

We urge you to **vote NO** on SB1231 **unless it is amended** to include the **updated Article 9 of the UPA** or to **strike Section 10 of the bill entirely (outdated Article 9)**.

Thank you for your time and consideration.

Sincerely,

Kaitlyn Boller  
Vice President of Legislative Affairs  
U.S. Donor Conceived Council