

STAND. COM. REP. NO.

2468

Honolulu, Hawaii

FEB 17

, 2006

RE: S.B. No. 2079  
S.D. 1

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2079 entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

begs leave to report as follows:

The purpose of this measure is to prohibit leaving a child under the age of eight locked in a car or building without a reliable person of at least thirteen years of age present.

Specifically, this measure creates the misdemeanor offense of leaving a child locked in a building or vehicle without the presence and protection of a reliable person who is at least thirteen years old.

Your Committee received testimony in support of the measure from the Department of the Prosecuting Attorney for the City and County of Honolulu, the Department of Human Services, the Maui Police Department, and Blueprint for Change. Your Committee received testimony in opposition to the measure from the Office of the Public Defender. The Honolulu Police Department also submitted testimony in opposition to the measure, and suggested incorporating the strict liability provisions of H.B. No. 1787 instead.

Your Committee finds that creating a narrower, strict liability offense that prohibits leaving children in motor vehicles without an adult or a minor of at least fifteen years of age, rather than creating the broader offense of leaving children

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unattended in vehicles and buildings, would better protect young children from harm.

Accordingly, your Committee has replaced this measure's contents with language that creates the strict liability offense of leaving a child unsupervised in a motor vehicle, and requires applicants for state driver's licenses to be tested on, among other things, the applicant's knowledge of this offense. Your Committee also has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2079, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2079, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
SUZANNE CHUN OAKLAND, Chair



