

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 3060
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 3060 entitled:

"A BILL FOR AN ACT RELATING TO SEX OFFENDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to make it unlawful for persons convicted of certain sexual offenses committed against a child twelve years of age or younger to reside within seven hundred fifty feet of any school building or any real property comprising a school.

Your Committee received testimony in support of this measure from the Pali View Baptist Church and three individuals. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i.

Your Committee finds that children and families expect schools and properties comprising schools to be safe and nurturing environments. In line with this expectation, this measure will prohibit persons convicted of sexual offenses against a child twelve years of age or younger from residing within close proximity of any school building or any real property comprising a school.

However, your Committee also finds that there are studies that deem residency restrictions ineffective and indicate that residency restrictions could possibly increase the threat that registered sexual offenders may pose on public safety.



Your Committee notes that the distance of seven hundred and fifty feet from a school building or any real property comprising a school described in the measure, as is currently drafted, may make it difficult for any persons convicted of sexual offenses to reside in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting the 750-foot distance requirement for residency and leaving it unspecified;
- (2) Changing the effective date to July 1, 2050, to ensure further discussion; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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. 3060, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3060, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 3060	Committee Referral: HMS, JDL	Date: 2-14-12
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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
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	0	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes