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Honolulu, Hawaii

February 8, 2013

RE: H.B. No. 400  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 400 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the welfare of children by:

- (1) Establishing a preference for allowing a child to remain in the family home if it is more likely than not that the child will be safe from harm in the family home; and
- (2) Requiring the alleged perpetrator of abuse to leave the family home under certain circumstances.

The Department of Human Services supported the intent of this bill. The Department of the Attorney General submitted comments.

Your Committee has amended this measure by:

- (1) Providing that in certain circumstances, the court must consider whether the alleged or potential perpetrator of imminent harm, harm, or threatened harm should be removed from the family home rather than continuing the child's placement in foster care; provided that the child's family must bear the burden of establishing that it is in the child's best interests to remove the child,



rather than the alleged or potential perpetrator from the family home; and

- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, 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 H.B. No. 400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 400, H.D. 1, and be referred to the Committee on Judiciary.

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

  
MELE CARROLL, Chair



