

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1141
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 1141
entitled:

"A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a one-year limit on the length of time an individual may remain on conditional release if charged with a misdemeanor, petty misdemeanor, or violation;
- (2) Clarify under what circumstances the one-year conditional release status may be tolled pending an individual's hospitalization; and
- (3) Require public agencies in possession of information related to a defendant's fitness to proceed to provide the information to the court.

Your Committee received testimony in support of this measure from the Department of Health and Judiciary. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Office of the Prosecuting Attorney for the County of Kaua'i.

Your Committee finds that the Governor commissioned a special action team in June 2012 to analyze causes and identify ideas to

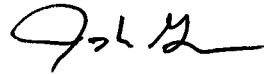


address the systematic factors contributing to the increased rate of admission and increased length of stay of persons admitted to the Hawaii State Hospital. This measure is the result of the special team's efforts to improve the State's forensic mental health services.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1141, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JOSH GREEN, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 1141	Committee Referral: HTH, JDL	Date: 02/11/2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes