

Honolulu, Hawaii

April 4, 2014

RE: S.B. No. 2687
S.D. 1
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2687, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS,"

begs leave to report as follows:

The purpose of this measure is to hold perpetrators of sexual offenses against minors civilly accountable for their actions by:

- (1) Allowing victims of child sexual abuse that occurred in Hawaii who have been barred from filing suit against their abusers by virtue of the expiration of the former civil statute of limitations to file those claims in the circuit courts at any time; and
- (2) Prohibiting the court, plaintiff, or specified individuals from being required to disclose the contents of a sealed certificate of merit that is filed with a court, as required in such a civil action.

The Sex Abuse Treatment Center and several concerned individuals supported the bill. The Department of the Attorney General and Hawaii Catholic Conference opposed the measure. Several concerned individuals submitted comments.



Your Committee has amended this bill by:

- (1) Extending from two to four years after April 24, 2012, the statutory period during which victims of child sexual abuse who would have been barred from filing suit against their abusers by virtue of the expiration of the former civil statute of limitations can file those claims in the circuit courts;
- (2) Subjecting the State and its political subdivisions to legal liability with respect to civil actions arising from sexual offenses, to the same extent as all other public and private entities;
- (3) Eliminating the prohibition against the required disclosure of the contents of the sealed certificate of merit; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2687, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2687, S.D. 1, H.D. 2.

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



KARL RHOADS, Chair



