

STAND. COM. REP. NO. 2450

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2792
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 2792 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow qualified entities to request state and national fingerprint-based criminal history record checks on their applicants, employees, and volunteers who provide care for children, vulnerable adults, or individuals with disabilities, and to receive the results directly.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that Section 5119a of the National Child Protection Act, Public Law No. 103-209, as amended, authorizes public, private, nonprofit, or for-profit entities to submit requests for fingerprint-based criminal history record checks on their applicants, employees, and volunteers who provide care to children, vulnerable adults, or individuals with disabilities. Generally, an authorized government agency must receive the results and make the suitability determination. However, other jurisdictions have been permitted to provide the information directly to a non-government agency upon receipt of a waiver from the individual on whom the criminal history record check is being

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run. This measure will bring the State in line with other jurisdictions and make complete and up-to-date criminal history records available to qualifying entities.

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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2792, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2792, 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



