

STAND. COM. REP. NO. 3562

Honolulu, Hawaii

APR 08 2016

RE: H.B. No. 2350
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2350, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FOSTER CHILDREN,"

begs leave to report as follows:

The purpose and intent of this measure is to bring the State
into compliance with the Preventing Sex Trafficking and
Strengthening Families Act of 2014 by:

- (1) Expanding the opportunities for children in foster care to participate equally with their classmates and peers by providing qualified immunity from liability for resource caregivers and child caring institutions for their decisions regarding the child's participation in age-appropriate or developmentally appropriate extracurricular, enrichment, cultural, and social activities; and
- (2) Lowering the age from sixteen to fourteen years of age for children in foster care to be consulted in the development of their foster care plan.

Your Committee received testimony in support of this measure from the Hawaii Youth Opportunities Initiative; EPIC 'Ohana, Inc.; Family Program Hawaii's It Takes an Ohana Program; and sixteen individuals. Your Committee received comments on this measure from the Hawaii Association for Justice.

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Your Committee finds that the Preventing Sex Trafficking and Strengthening Families Act of 2014, Public Law 113-183, expands the opportunities for children in foster care to participate in age-appropriate or developmentally appropriate extracurricular, enrichment, cultural, and social activities equal to their classmates and peers and requires children in foster care, fourteen years of age and older, to be included in case planning and be informed of their rights and options. Implementation of this measure will better prepare children for a successful transition from foster care into adulthood and enhance the capacity of resource caregivers and child caring institutions to encourage and support children in foster care to participate in ordinary childhood activities.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2350, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2350, H.D. 2, S.D. 1.

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


GILBERT S.C. KEITH-AGARAN, Chair



