Honolulu, Hawaii

April 27, 2017

RE:

H.B. No. 1099

H.D. 1 S.D. 2 C.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1099, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to bring the State in compliance with the Justice for Victims of Trafficking Act of 2015, Public Law 114-22, and the Child Abuse Prevention and Treatment Act of 2010, Public Law 111-320, by:

- (1) Amending the definition of "child abuse or neglect" to ensure that mandated reporters of child abuse and neglect report to the Department of Human Services (DHS) known or suspected child victims of sex trafficking;
- (2) Ensuring that records and information contained in child abuse and neglect reports that are expunged may be

retained by DHS solely for future risk and safety assessment purposes; and

(3) Replacing references to unsubstantiated reports with "not confirmed" reports.

Your Committee on Conference has amended this measure by:

- (1)Redefining "sex trafficking" to conform to federal law;
- (2) Defining "severe forms of trafficking in persons" to conform to federal law:
- Amending the definition of "child abuse or neglect" to include acts or omissions resulting in severe forms of trafficking in persons, provided that no finding by the Department of Human Services shall be used as conclusive evidence that a person has committed a labor trafficking or sex trafficking offense; and
- (4)Changing its effective date to May 29, 2017.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1099, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1099, H.D. 1, S.D. 2, C.D. 1.

> Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

JOSH GREEN

Chair

DEE MORIKAWA

Co-Chair

GILBERT S.C. KEITH-

Co-Chair

Hawaii State Legislature

CCR54

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 1099, HD 1, SD 2					Date/Time: 4/21/17 //:08				
The recommendation of the House	and S	Senate	mana	gers i	is to pass with amendments (CD).				
☐ The Committee is reconsidering its									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	Α	WR	N	Е	House Managers	Α	WR	N	Е
GREEN, Josh, Chr.	/				MORIKAWA, Dee, Co-Chr.				
KEITH-AGARAN, Gilbert S.C., Co-Chr.	/				SAN BUENAVENTURA, Joy A., Co-Chr.		,		
CHANG, Stanley					TUPOLA, Andria P.L.				
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TOTAL	3	0	0	0	TOTAL	3	0	0	0
A = Aye WF	$\mathbf{R} = \mathbf{A}\mathbf{y}$	e with	Reser	vatior	ns $N = Nay$ E	= Exc	used		
Senate Recommendation is: Adopted Not Adopted					House Recommendation is: Adopted Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
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