

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;
- (3) 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

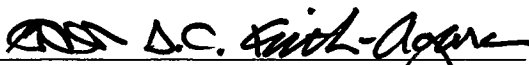
ON THE PART OF THE HOUSE



JOSH GREEN  
Chair



DEE MORIKAWA  
Co-Chair



GILBERT S.C. KEITH-AGARAN  
Co-Chair



JOY A. SAN BUENAVENTURA  
Co-Chair



