

Honolulu, Hawaii

FEB 13 2018

RE: S.B. No. 2539  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2539 entitled:

"A BILL FOR AN ACT RELATING TO CHILD CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish the misdemeanor offense of failure to properly care for a child resulting in death or injury, applicable to group child care homes and group child care centers; and
- (2) Require that the child care provider's license or temporary permit be immediately revoked upon conviction of the new offense.

Your Committee received testimony in support of this measure from Rainbow Family 808, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and fifty-two individuals. Your Committee received comments on this measure from the Department of Human Services and Department of the Attorney General.

Your Committee finds that child care is a necessity for many working parents and guardians. Your Committee further finds that parents and guardians who enroll their child at a child care



facility trust that their child's health, well-being, and safety are a priority. However, recent events have revealed the need for strong deterrents to ensure that children are being properly cared for in child care facilities.

Your Committee encourages the Committee on Judiciary, should it choose to hear this measure, to take into consideration the concerns expressed by the Department of the Attorney General.

Your Committee has amended this measure by:

- (1) Requiring that a child be seriously injured, rather than merely injured, in order to constitute the offense;
- (2) Inserting a definition for "seriously injured"; and
- (3) 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. 2539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2539, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,



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JOSH GREEN, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>SB 2539</b>	Committee Referral: <b>HMS, JDC</b>	Date: <b>2/5/18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
CHANG, Stanley (VC)	✓			
HARIMOTO, Breene	✓			
TOKUDA, Jill N.	✓			
WAKAI, Glenn				✓
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes