

Honolulu, Hawaii

APR 05 2019

RE: H.B. No. 18  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 18, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILDHOOD SEXUAL ABUSE,"

begs leave to report as follows:

The purpose and intent of this measure is to remove certain limitations on the ability of survivors of childhood sexual abuse to file a civil claim.

More specifically, this measure:

- (1) Permits a survivor of childhood sexual abuse to file a civil claim against any person, not specifically the person who committed the act of sexual abuse; and
- (2) Repeals the statute of limitations for a survivor of childhood sexual abuse to file a civil claim.

Your Committee received written comments in support of this measure from the Hawaii State Commission on the Status of Women, American Association of University Women of Hawaii, Hawaii Women's Coalition, LGBT Caucus of the Democratic Party of Hawaii, Midwives Alliance of Hawaii, Oahu County Democrats, Planned Parenthood Votes Northwest and Hawaii, Rainbow Family 808, The Sex Abuse Treatment Center, and numerous individuals.



Your Committee received written comments in opposition to this measure from an individual.

Your Committee received written comments on this measure from the Department of the Attorney General.

Your Committee finds that many children withhold disclosure of sexual abuse until adulthood for various reasons, including fear, helplessness, embarrassment, self-blame, and guilt. Accordingly, your Committee believes that repealing certain limitations that may prevent a survivor of childhood sexual abuse from filing a civil claim, including the statute of limitations, will allow victims greater access to legal redress through the courts.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 18, H.D. 1, S.D. 1, and recommends that it pass Third Reading.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB18 HD1 SD1	JDC, WAM	4/3/19		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani				X
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i				X
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
MORIWAKI, Sharon Y.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
TANIGUCHI, Brian T.	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	10			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes