

Honolulu, Hawaii

FEB 11 , 2020

RE: H.B. No. 2177  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2177 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Amend the statutory limitations on the time period in which a survivor of childhood sexual abuse may file a civil action to within forty years of the eighteenth birthday of the minor;
- (2) Bar punitive damages for these civil actions; and
- (3) Permit the court to order restorative justice measures, if appropriate.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawaii, IMUAlliance, Sex Abuse Treatment Center, Law Office of Mark Gallagher, and six individuals. Your Committee received testimony in opposition to this measure from Rainbow Family 808. Your Committee received comments on this measure from the Department of the Attorney General.



Your Committee finds that survivors of childhood sexual abuse often do not divulge the truth of their abuse until adulthood. The average delay is twenty years, while some survivors delay disclosure for fifty years. This measure will provide childhood sexual abuse survivors additional time to file a civil action related to that abuse.

Your Committee has amended this measure by:

- (1) Extending the statute of limitations to file a civil action to within fifty years of the eighteenth birthday of the minor;
- (2) Allowing punitive damages up to two times the amount of compensatory damages;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2177, H.D. 1, and be referred to your Committee on Finance.

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



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CHRIS LEE, Chair



