

STAND. COM. REP. NO. 295

Honolulu, Hawaii

FEB 17 2021

RE: S.B. No. 1129
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 1129 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee received testimony in support of this measure from the Department of Human Services and three individuals.

Your Committee finds that there is a need to add further protections for those individuals who assist in child abuse investigations. On January 7, 2019, the federal Victims of Child Abuse Act Reauthorization Act of 2018, P.L. 115-24, was enacted, further amending the Child Abuse and Prevention and Treatment Act (CAPTA). The amendment grants immunity from civil and criminal prosecution to people who provide information or assistance to a good faith report of child abuse and/or neglect. This includes medical evaluations and professional consultations. Your Committee further finds that the language proposed in this measure does not provide immunity for individuals who provide information and assistance in bad faith. And finally, your Committee finds that this measure will bring Hawaii's CAPTA Program Improvement



Plan into conformity with the federal CAPTA amendments by the required date of June 30, 2021.

Your Committee has amended this measure by:

- (1) Clarifying the effective date of June 30, 2021; and
- (2) 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. 1129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1129, S.D. 1, and be referred to your Committee on Judiciary.

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




JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1129	HMS, JDC	02/11/2021		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura		✓		
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
TOTAL	4	1	0	0
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