

STAND. COM. REP. NO. 342-22

Honolulu, Hawaii

FEB 15, 2022

RE: H.B. No. 1466  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 1466 entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT OF A MINOR,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the class B felony offense of continuous sexual assault of a minor under the age of sixteen years in the second degree; and
- (2) Clarify that the existing offense of continuous sexual assault of a minor is a class A felony offense in the first degree that includes minor victims under the age of sixteen years.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Rainbow Family 808, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that sexual assault is one of the most difficult crimes for any victim to report and testify about in any

2022-1345 HB1466 HD1 HSCR HMSO



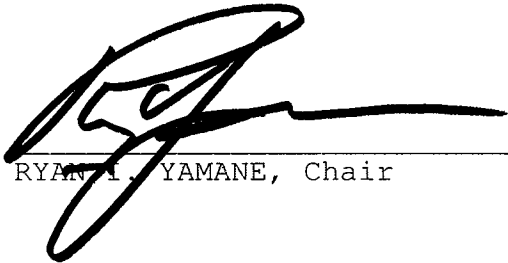
legal proceeding. This difficulty is even more apparent for child victims. Your Committee further finds that children are lacking in their ability to precisely recall certain information, such as date and time. This measure affords child victims the ability to describe conduct that they have endured over periods of time without requiring specificity as to date and time. Your Committee notes that an amendment to the Hawaii State Constitution is necessary for this measure to proceed and that a measure doing so is currently moving through the legislative process.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (2) 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1466, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Health, Human  
Services, & Homelessness,



RYAN I. YAMANE, Chair



