

Honolulu, Hawaii
, 2022

MAR 03

RE: H.B. No. 2208
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 Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2208, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ABUSE OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse may be initiated;
- (2) Adopt procedural requirements before the filing of a civil action for childhood sexual abuse; and
- (3) Allow a court to order the personnel of a legal entity against whom a claim is brought to undergo training on trauma-informed response to sexual abuse allegations.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, CHILD USA, CHILD USA Advocacy, National Association of Social Workers - Hawai'i Chapter, The Hawaiian Islands Association for Marriage and Family Therapy, Hawai'i Psychological Association, and five individuals. Your Committee received testimony in opposition to this measure from Indigenous Consultants, LLC; and Hawaii Association for Justice.



Your Committee received comments on this measure from the Department of the Attorney General, Talbert Law LLC, Sex Abuse Treatment Center, and two individuals.

Your Committee finds that in the United States, one in five girls and one in twenty boys is a victim of childhood sexual abuse. Studies show that between sixty percent and eighty percent of survivors withhold disclosure. Under this measure, the statute of limitations for victims of child sexual abuse to bring a civil claim for monetary damages against any person would be extended from eight years to thirty-two years after the eighteenth birthday of the victim and from three years to five years after the date the victim discovers or reasonably should have discovered that psychological injury or illness occurring after the victim's eighteenth birthday was caused by the sexual abuse, whichever occurs later. This legislation is particularly important for survivors of child sexual abuse as many children do not disclose sexual abuse immediately after the abuse occurs and instead many delay disclosure for years, often until adulthood.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2208, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,


MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2208, HD1	Committee Referral: HHH, JHA	Date: 2-23-22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TOKIOKA, James Kunane	✓			
11. WARD, Gene	✓			
TOTAL (11)	10	0	1	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				