

STAND. COM. REP. NO. 3159

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3112
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3112, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Human Services to conduct comprehensive background checks on current and prospective employees, volunteers, and contractors, and a contractor's employees, agents, or volunteers, in positions that require them to be in close proximity to minors, young adults, or vulnerable adults who are receiving child welfare services, social services, or other benefits and services from the Department of Human Services intended to prevent abuse or neglect or assist youth aging out of foster care with obtaining and maintaining independent living skills; and
- (2) Replace the term "foster boarding home" in sections 321-11.2(d), 571-32.1, and 846-2.7(b)(8), Hawaii Revised Statutes, with "resource family homes", to conform to Act 133, Session Laws of Hawaii 2016.



Your Committee received testimony in support of this measure from the Department of Human Resources Development, Department of Human Services, and two individuals.

Your Committee finds that the Department of Human Services' current pre-employment background clearance process includes a state name-based criminal history record check and relies on prospective new hires to self-report any convictions that occurred outside of the State of Hawaii. Your Committee believes that a comprehensive national and state fingerprint-based criminal history record check is more appropriate than the Hawaii name-based criminal history check currently utilized. This measure will ensure that the vulnerable population of minors and young adults is being served by individuals with reputable and responsible character by allowing the Department of Human Services to conduct comprehensive national and state fingerprint-based criminal history record checks.

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 S.B. No. 3112, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



