

Honolulu, Hawaii

MAR 23 2023

RE: H.B. No. 470
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 470, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a provider who renders no cost emergency shelter and related services to a minor to take steps to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems; and
- (2) Make permanent the definition of "provider" as it relates to entities eligible to provide no cost emergency shelter and related services to consenting minors.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Opportunity Youth Action Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Human Services, Hawai'i Youth Services Network, and Residential Youth Services & Empowerment.



Your Committee finds that minors experiencing homelessness in the State is an issue that needs to be addressed separately from adult and family homelessness. In this regard, in 2011, the Legislature passed Act 179, Session Laws of Hawaii 2011, to allow certain child placing organizations and child caring institutions to provide emergency shelter and related services to minors at no cost under certain circumstances. In 2021, recognizing that there is a population of homeless minors who avoid the use of no cost shelter services due to fear of being placed into the foster care system or an undesirable shelter situation, the Legislature passed Act 23, Session Laws of Hawaii 2021 (Act 23), expanding the definition of a "provider" who may render no-cost emergency shelter and related services to consenting minors to include organizations that are not child placing organizations or child caring institutions. Despite its critical importance to minors experiencing homelessness, Act 23 is scheduled to be repealed on June 30, 2023. This measure repeals the sunset date for Act 23, thereby making the expanded definition of "provider" permanent and provides further protection to minors in emergency shelters by requiring the providers to ensure that minors obtain and receive services from the juvenile justice or child welfare systems.

Your Committee acknowledges the concerns raised by testimony that the idea of being forced to accept services from the juvenile justice or child welfare systems may be a deterrent for minors who have unpleasant and traumatic experiences with those systems to access no cost emergency shelters. Your Committee also notes that S.B. No. 129, S.D. 1 (2023), a similar measure that was previously heard by your Committee, also repeals the sunset date for Act 23. Your Committee finds that the language in S.B. No. 129, S.D. 1, is preferable because it does not require no cost emergency shelter providers to ensure that pertinent youth obtain and receive services from the juvenile justice or child welfare systems, and provides further protection to minors utilizing no cost emergency shelters by requiring the shelters to maintain separation for unrelated adults and minors.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of S.B. No. 129, S.D. 1, which requires providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children, and

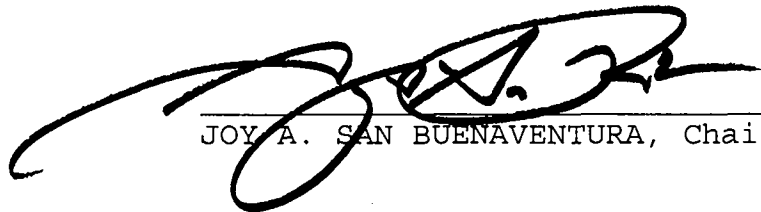


repeals the sunset date for Act 23, thereby making permanent the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria;

- (2) Inserting an effective date of June 30, 2050, to encourage further discussion; and
- (3) 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 470, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 470, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

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



JOY A. SAN BUENAVENTURA, Chair



