

STAND. COM. REP. NO.

1729

Honolulu, Hawaii

APR 06 2023

RE: H.B. No. 777  
H.D. 2  
S.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 777, H.D. 2, 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 authorize the Department of Human Services to conduct background checks for current and prospective employees, volunteers, contractors, contractors' employees and volunteers, subcontractors, and subcontractors' employees and volunteers whose position places them or would place them in close proximity to certain minors, young adults, or vulnerable adults.

Your Committee received testimony in support of this measure from the Department of Human Services, Catholic Charities Hawai'i, Hawai'i Health Systems Corporation, and five individuals. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the current pre-employment background clearance process includes the State of Hawaii name-based criminal history record check. It relies on prospective new hires to self-report any convictions outside of the State of Hawaii. Having the statutory authority to conduct comprehensive national and state fingerprint-based criminal history record



checks and periodic rechecks will allow the Department of Human Services to obtain information directly from the Federal Bureau of Investigations and the Hawaii Criminal Justice Data Center. This measure authorizes the Department of Human Services to conduct national and state background checks, which will ensure the health, safety, and well-being of minors, young adults, and vulnerable adults receiving child welfare, child protective services, extended foster care, higher education supports, social services, and adult protective or community services from the Department of Human Services.

Your Committee has amended this measure by 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 777, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 777, H.D. 2, S.D. 2.

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



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KARL RHOADS, Chair



