

STAND. COM. REP. NO. **205** -24

Honolulu, Hawaii  
, 2024

**FEB 08**

RE: H.B. No. 2159  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 2159 entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to require the Department of the Attorney General to assist in the preparation and filing of any petition for assisted community treatment and all related court proceedings, unless the petitioner declines assistance.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that assisted community treatment is a valuable tool for providing timely and necessary treatment for some individuals experiencing a mental health crisis. Your Committee further finds that improvements are needed to the State's assisted community treatment program and other methods used by the State to treat individuals suffering from untreated mental illness. Your Committee believes that improving the State's evaluation and assessment of individuals who may become, or already are, involved in the criminal justice system to determine if these persons should be diverted to a more

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appropriate mental health program will ensure the State's response to these individuals is coordinated and comprehensive.

Accordingly, your Committee has amended this measure by:

- (1) Repealing language entitling the subject of a petition for assisted community treatment to legal representation by a public defender;
- (2) Inserting language providing a mechanism for the automatic screening of certain nonviolent petty misdemeanor defendants for involuntary hospitalization or assisted community treatment;
- (3) Inserting language authorizing the courts to require certain probation violators to undergo a mental health evaluation and treatment program as a condition of continued probation;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2159, 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 &  
Homelessness,

  
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DELLA AU BELATTI, Chair



