

STAND. COM. REP. NO. 2893

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2017  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2017 entitled:

"A BILL FOR AN ACT RELATING TO FINANCIAL SUPPORT OF A CHILD AFTER DRIVING UNDER THE INFLUENCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require defendants convicted of causing the death of a parent or legal guardian of a minor child by the operation of a vehicle in a negligent manner while under the influence of drugs or alcohol to make restitution in the form of financial support to each surviving child of the victim.

Your Committee received testimony in support of this measure from the Department of Transportation, Mothers Against Drunk Driving Hawaii, and three individuals.

Your Committee received comments on this measure from the Department of Corrections and Rehabilitation.

Your Committee finds that the trauma a minor experiences due to suddenly losing the stability and support of a parent or legal guardian is only compounded by the financial hardship that usually accompanies this type of sudden loss. This measure will deter drivers from driving under the influence and provide necessary funding to minors to access professional counseling to help them



work through their trauma constructively and obtain guidance and support needed to overcome the tragedy of suddenly losing a parent or legal guardian.

Your Committee has amended this measure by:

- (1) Inserting language requiring defendants convicted of causing the death of a parent or legal guardian of an adult dependent child with disabilities by the operation of a vehicle in a negligent manner while under the influence of drugs or alcohol to make restitution in the form of financial support to each surviving adult dependent child with disabilities of the victim;
- (2) Deleting language that would have required the court to consider the standard of living to which the child is accustomed as a relevant factor in determining an amount that is reasonable and necessary for the financial support of the victim's child; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2017, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2017, S.D. 1, and be placed on the calendar for Third Reading.

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



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KARL RHOADS, Chair



