

STAND. COM. REP. NO.

667

Honolulu, Hawaii

FEB 14 , 2025

RE: H.B. No. 359
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 359 entitled:

"A BILL FOR AN ACT RELATING TO COVERED OFFENDER
REGISTRATION,"

begs leave to report as follows:

The purpose of this measure is to amend the covered offender registration laws to:

- (1) Include offenders who, while acting in a professional capacity, commit either the offense of sexual assault in the fourth degree or sexual assault in the second degree against a minor who is at least sixteen years old; and
- (2) Require public disclosure for covered offenses that are committed against minors, regardless of whether the conviction was for a first-time misdemeanor offense.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission; Honolulu Police Department; and The Sex Abuse Treatment Center. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

2025-1730 HB359 HD1 HSCR HMSO



Your Committee finds that sex offenders pose a significant threat to public safety due to high rates of recidivism, and existing registration laws contain gaps that allow certain offenders to evade public detection. Under existing law, individuals in positions of trust, such as teachers, coaches, or religious leaders, who commit sexual assault in the fourth degree against a minor at least sixteen years old are not required to publicly disclose their sex offender registration information. This measure addresses this loophole, strengthens protections for minors, and prevents individuals in positions of authority from continuing to exploit vulnerable youth.

Your Committee has amended this measure by:

- (1) Clarifying that a person who is required to report every year under the covered offender registration requirements shall report each year during the thirty-day period following the offender's birthday, rather than from the offender's actual date of birth;
- (2) Clarifying how the added offenses established by this measure will be tiered for purposes of seeking termination of registration requirements;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) 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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 359, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 359, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,

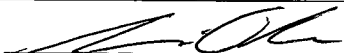


LISA MARTEN, Chair



HSCR 667

Record of Votes of the Committee on Human Services & Homelessness

| Bill/Resolution No.: HB 359 | Committee Referral: HSH, JHA | Date: 2/11/2025 | | |
|---|--|---------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| HSH Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. MARTEN, Lisa (C) | X | | | |
| 2. OLDS, Ikaika (VC) | X | | | |
| 3. AMATO, Terez | X | | | |
| 4. CHUN, Cory M. | X | | | |
| 5. KEOHOKAPU-LEE LOY, Sue L. | X | | | |
| 6. TAKAYAMA, Gregg | X | | | |
| 7. TAKENOUCI, Jenna | X | | | |
| 8. ALCOS III, David | X | | | |
| 9. GARCIA, Diamond | X | | | |
| TOTAL (9) | 9 | | | |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature:  | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |