

Honolulu, Hawaii

, 2020

FEB 28

RE: H.B. No. 1942
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1942, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD ABUSE REPORTING,"

begs leave to report as follows:

The purpose of this measure is to update Hawaii's mandatory child abuse and neglect mandated reporting law by:

- (1) Adding members of the clergy, commercial computer technicians, commercial film and photographic print or image processors, and certain administrators and employees of organizations who have direct contact with or supervision of children to the categories of persons who are required to report child abuse and neglect to the Department of Human Services or police; and
- (2) Providing a safe harbor through December 31, 2020, for reporting by clergy of previously unreported known or suspected child abuse that did not arise during a penitential communication.

Your Committee received testimony in support of this measure from Hawaii Youth Services Network, IMUAlliance, Parents And Children Together, and one individual. Your Committee received testimony in opposition to this measure from the Department of



Human Services. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that professionals who work with or come into regular contact with children have an essential role in the protection of children. Amending the State's child abuse and neglect mandated reporting law to include members of the clergy, commercial computer technicians, commercial film and photographic print or image processors, and certain other administrators and employees as mandated reporters of suspected child abuse and neglect will ensure the Department of Human Services and county police departments are able to quickly identify, investigate, and intervene in suspected cases of child abuse or neglect.

Your Committee has amended this measure by:

- (1) Clarifying that an attorney who has an attorney-client relationship is excluded from the child abuse and neglect mandated reporting requirements; and
- (2) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1942, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1942, H.D. 2.

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



CHRIS LEE, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSCR 988-20

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1942 HDI	Committee Referral: HSH, JUD	Date: 2/26/20		
<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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.				/
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.				/
7. NAKASHIMA, Mark M.	/			
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.	/			
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.				/
12. THIELEN, Cynthia	/			
TOTAL (12)	9			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted /If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				