
A BILL FOR AN ACT

RELATING TO REPORTS OF CHILD ABUSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Child Abuse Prevention and Treatment Act,
2 as amended, provides federal funding to states for prevention,
3 assessment, investigation, prosecution, and treatment activities
4 for child abuse and neglect. On January 7, 2019, the Victims of
5 Child Abuse Act Reauthorization Act of 2018 (P.L. 115-424), was
6 enacted, further amending certain provisions of Child Abuse
7 Prevention and Treatment Act. The 2019 amendment provides
8 immunity from civil and criminal liability "for individuals
9 making good faith reports of suspected or known instances of
10 child abuse or neglect, or who otherwise provide information or
11 assistance, including medical evaluations or consultations, in
12 connection with a report, investigation, or legal intervention
13 pursuant to a good faith report of child abuse or neglect."
14 Title 42, United States Code Section 5106a(b)(2)(B)(vii).

15 The purpose of this Act is to bring state law into
16 compliance with the most recent amendments to Child Abuse



1 Prevention and Treatment Act by amending section 350-3(a),
2 Hawaii Revised Statutes effective June 30, 2020.

3 SECTION 2. Section 350-3, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) Anyone participating in good faith in the making of a
6 report pursuant to this chapter shall have immunity from any
7 liability, civil or criminal, that might be otherwise incurred
8 or imposed by or as a result of the making of such report[-] and
9 this immunity shall also apply to persons who otherwise provide
10 information or assistance, including medical evaluations or
11 consultation, in connection with a report, investigation, or
12 legal intervention pursuant to a good faith report of child
13 abuse or neglect. Any such participant shall have the same
14 immunity with respect to participation in any judicial
15 proceeding resulting from such report."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect June 30, 2020.



Report Title:

Reports of Child Abuse

Description:

Adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. Effective 6/30/2020. (SD2)

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