

STAND. COM. REP. NO.

1584

Honolulu, Hawaii

APR 04 2023

RE: H.B. No. 350
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 350, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish that the exemption from mandatory reporting by members of the clergy does not apply when the clergy member believes that there exists a substantial risk that child abuse or neglect that is especially heinous, atrocious, or cruel, manifesting exceptional depravity, may occur in the reasonably foreseeable future.

Your Committee received testimony in support of this measure from the Department of Human Services; Stonewall Caucus of the Democratic Party of Hawai'i; Rainbow Family 808.com, Inc.; and four individuals.

Your Committee finds that there is a danger in exempting members of the clergy from mandatory reporting of suspected child abuse or neglect. Additionally, your Committee recognizes the significance of confidentiality in penitential communication but believes that the safety and well-being of the State's children is also of utmost importance. Furthermore, your Committee understands that details of extreme child abuse or neglect revealed in penitential communication may result in these cases



never being reported to the appropriate authorities. Therefore, your Committee acknowledges the need to specify that the exemption of mandatory reporting by members of the clergy does not apply when the clergy member believes that there exists an extreme case of child abuse or neglect.

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. 350, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
HB 350 HD2 SD1	HAS, JDC	3/30/23

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes