

Honolulu, Hawaii

FEB 16 2024

RE: H.B. No. 470
H.D. 2
S.D. 2

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 H.B. No. 470, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require providers of no cost emergency shelter and related services to maintain separation for unrelated adults and minor children; and
- (2) Make permanent the amendments to the definition of "provider" to include organizations that are not child placing organizations or child caring institutions that meet certain criteria.

Your Committee received testimony in support of this measure from Residential Youth Services and Empowerment, Opportunity Youth Action Hawai'i, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, O'ahu Youth Action Board, National Homelessness Law Center, and one individual.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, and Hawai'i Youth Services Network.



Your Committee finds that more than half of unhoused youth who want to access shelter and services are told it is unavailable, resulting in the average unhoused young person spending nearly two years living on the street. Additionally, many unhoused youth choose not to seek assistance from the child welfare system because of narrow choices with respect to living situations in foster care, stereotypes about the foster care system, prior experience with child welfare, fear of being separated from siblings, or concern about legal repercussions for parents or guardians. To address these problems, the Legislature passed Act 23, Session Laws of Hawaii 2021, expanding the definition of a "provider" who may render no-cost emergency shelter and related services to consenting minors to include organizations that are not child placing organizations or child caring institutions. However, Act 23, Session Laws of Hawaii 2021, sunsetted on June 30, 2023. This measure will allow vulnerable, unhoused minors to once again have pathways to end their homelessness by allowing vetted community providers to provide a safe and low-barrier alternative to licensed child-caring institutions.

Your Committee has amended this measure by:

- (1) Restoring statutory language that includes an organization that is not a child placing organization or child caring institution that meets certain criteria in the definition of "provider";
- (2) Clarifying that providers that are not child caring organizations or child caring institutions must maintain separate sleeping areas for unrelated adults and minor children;
- (3) Making it effective upon its approval with a sunset date of June 30, 2029; and
- (4) 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 H.B.



No. 470, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 470, H.D. 2, S.D. 2.

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



KARL RHOADS, Chair



