

RE: H.B. No. 910 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 910 entitled:

"A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to implement statutory changes recommended by the Governor's special action team designed to reduce the population of the Hawaii State Hospital by:

- (1) Requiring public agencies with a defendant's medical, mental health, social, police and juvenile records to release information to the court when the defendant is ordered to submit to a forensic mental health examination in order to expedite the process; and
- (2) Amending penal code provisions to establish limits to the length of time an individual may remain on conditional relief for certain criminal charges and to clarify circumstances under which the conditional release may be tolled.

The Department of Health, Hawaii Disability Rights Center, Community Alliance for Mental Health, and United Self Help supported this measure. The Judiciary supported this measure with amendments. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this measure. The Department of the Attorney General commented on this measure.

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Your Committee has amended this measure by:

- Clarifying that the tolling provisions apply only to defendants charged with petty misdemeanors, misdemeanors, or violations;
- (2) Specifying that the tolling period shall apply during a period of forensic hospitalization and during the pendency of a motion to revoke conditional release; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 910, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 910, H.D. 1, and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Health,

Man R. Bul

DELLA AU BELATTI, Chair



## State of Hawaii House of Representatives The Twenty-seventh Legislature



## Record of Votes of the Committee on Health

Bill/Resolution No.: HB 910	Committee Referral: ーー・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・	Date:	2/13/1	3
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)				
2. MORIKAWA, Dee (VC)				
3. CABANILLA, Rida T.R.				
4. CARROLL, Mele				$\checkmark$
5. JORDAN, Jo				
6. KOBAYASHI, Bertrand				
7. WOODSON, Justin H.				
8. CHEAPE, Lauren Kealohilani				
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TOTAL (8)	1			ļ
The recommendation is:       Adopted       Not Adopted         If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				