

STAND. COM. REP. NO.

366

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 938  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Human Services and Housing, to which was referred S.B. No. 938 entitled:

"A BILL FOR AN ACT RELATING TO FAILURE TO REPORT A MISSING CHILD, "

begs leave to report as follows:

The purpose and intent of this measure is to establish penalties for caregivers who fail to report the death or disappearance of a child to law enforcement or who provide false information to law enforcement authorities.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Police Department, Kauai Police Department, Hawaii Catholic Conference, Hawaii Family Forum, and Hawaii State Coalition Against Domestic Violence.

Your Committee finds that time is of the essence in the initial search for a missing child and the beginning of an investigation of the death of a child. Your Committee further finds that caregivers should be held accountable to report truthful information to law enforcement immediately, yet current state law does not address the situation where a parent, legal guardian, or other person legally charged with the care or custody of a child fails to report the death or disappearance of a child or actively conceals a child's death or disappearance.

Your Committee has amended this measure by:



- (1) Inserting a savings clause; and
- (2) 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 Human Services and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 938, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 938, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services and  
Housing,

*Suzanne Chun Oakland*

SUZANNE CHUN OAKLAND, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Human Services and Housing**  
**HSH**

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SB 938</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">HSH, JDL</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">2/17/15</div>		
<div><input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____</div>				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
HARIMOTO, Breene	✓			
RIVIERE, Gil	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<div style="font-size: 1.5em;">5</div>	<div style="font-size: 1.5em;">0</div>	<div style="font-size: 1.5em;">0</div>	<div style="font-size: 1.5em;">0</div>
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">JDL</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em;"><div>Original File with Committee Report</div><div>Yellow Clerk's Office</div><div>Pink Drafting Agency</div><div>Goldenrod Committee File Copy</div></div>				

**\*Only one measure per Record of Votes**