STAND. COM. REP. NO.

1078

Honolulu, Hawaii

## MAR 2 4 2017

RE: H.B. No. 1099

H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1099, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE,"

begs leave to report as follows:

The purpose and intent of this measure is to bring the State into compliance with the federal Justice for Victims of Trafficking Act of 2015 (Public Law 114-22) and the federal Child Abuse Prevention and Treatment Act of 2010 (Public Law 111-320) by, among other things:

- (1) Amending the definition of "child abuse or neglect" to include sex trafficking;
- (2) Clarifying that child abuse and neglect reports that are expunged from the State's central registry may be retained by the Department of Human Services for future risk and safety assessment purposes; and
- (3) Deleting the child abuse investigation disposition of "unsubstantiated" and replacing it with "not confirmed".

Your Committee received testimony in support of this measure from the Department of Human Services, Honolulu Police Department, IMUAlliance, Family Programs Hawaii, and one individual. Your

Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team.

Your Committee finds that the reporting of child abuse by mandated reporters should be expanded to include reports on known or suspected child victims of sex trafficking to bring the State in compliance with the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22). Furthermore, to comply with the Child Abuse Prevention and Treatment Act of 2010 (Public Law 111-320), it is necessary to ensure that reports of child abuse and neglect may be retained by the Department of Human Services for future risk and safety assessment purposes.

Your Committee has amended this measure by:

- (1) Inserting an effective date of May 29, 2017; 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 that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1099, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1099, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary and Labor.

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

JOSH GREEN, Chair

## The Senate Twenty-Ninth Legislature State of Hawai'i

## Record of Votes Committee on Human Services HMS

Bill / Resolution No.:*	Committee Referral:			Date:	
HB 1099 HD1	HMS, JDL		3/22/2017		
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (Wi	R) Nay	Excused
GREEN, Josh (C)		V,			
CHANG, Stanley (VC)		V,			
HARIMOTO, Breene		V			
TOKUDA, Jill N.					
WAKAI, Glenn					
				41	
			1.		
					-
TOTAL		7			•
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
<b>Distribution:</b> Original File with Committee Re		llow s Office	Pink Drafting Ager		denrod ee File Copy

<sup>\*</sup>Only one measure per Record of Votes