
A BILL FOR AN ACT

RELATING TO REPORTS OF CHILD ABUSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Child Abuse
2 Prevention and Treatment Act of 1974 (P.L. 93-247), as amended,
3 provides federal funding to states for prevention, assessment,
4 investigation, prosecution, and treatment activities for child
5 abuse and neglect. On January 7, 2019, the Victims of Child
6 Abuse Act Reauthorization Act of 2018 (P.L. 115-424), was
7 enacted, further amending certain provisions of the Child Abuse
8 Prevention and Treatment Act. The 2019 amendment provides
9 immunity from civil and criminal liability "for individuals
10 making good faith reports of suspected or known instances of
11 child abuse or neglect, or who otherwise provide information or
12 assistance, including medical evaluations or consultations, in
13 connection with a report, investigation, or legal intervention
14 pursuant to a good faith report of child abuse or neglect."

15 The legislature further finds that due to the impact of the
16 coronavirus disease 2019 pandemic on the Hawaii state
17 legislature's regular session of 2020, the Children's Bureau of



1 the Administration for Children and Families of the United
2 States Department of Health and Human Services, granted the
3 department of human services an extension until June 30, 2021,
4 to bring Hawaii's law into compliance with federal law.

5 The purpose of this Act is to bring state law into
6 compliance with the most recent amendments to the Child Abuse
7 Prevention and Treatment Act by no later than June 30, 2021.

8 SECTION 2. Section 350-3, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) Anyone participating in good faith in the making of a
11 report pursuant to this chapter shall have immunity from any
12 liability, civil or criminal, that might be otherwise incurred
13 or imposed by or as a result of the making of such report[-],
14 including persons who otherwise provide information or
15 assistance, including medical evaluations or consultation, in
16 connection with a report, investigation, or legal intervention
17 pursuant to a good faith report of child abuse or neglect. Any
18 such participant shall have the same immunity with respect to
19 participation in any judicial proceeding resulting from such
20 report."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 4. This Act shall take effect on June 30, 2021.



Report Title:

Child Abuse; Reporting; Immunity; Liability; DHS

Description:

Adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. Effective 6/30/2021. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

