
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, as amended, provides federal
3 funding to states for prevention, assessment, investigation,
4 prosecution, and treatment activities for child abuse and
5 neglect. On January 7, 2019, the Victims of Child Abuse Act
6 Reauthorization Act of 2018, P.L. 115-424, was enacted, further
7 amending certain provisions of the Child Abuse Prevention and
8 Treatment Act. The 2019 amendment provides immunity from civil
9 and criminal liability "for individuals making good faith
10 reports of suspected or known instances of child abuse or
11 neglect, or who otherwise provide information or assistance,
12 including medical evaluations or consultations, in connection
13 with a report, investigation, or legal intervention pursuant to
14 a good faith report of child abuse or neglect." 42 U.S.C.
15 §5106a(b)(2)(B)(vii).

16 The legislature further finds that due to the impact of the
17 coronavirus disease 2019 (COVID-19) pandemic on the 2020 regular



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

6 The purpose of this Act is to bring state law into
7 compliance with the most recent amendments to the Child Abuse
8 Prevention and Treatment Act by amending section 350-3(a),
9 Hawaii Revised Statutes, to be effective on June 30, 2021.

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

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



1 have the same immunity with respect to participation in any
2 judicial proceeding resulting from such report."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on June 30, 2021.



Report Title:

Reports of Child Abuse

Description:

Adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. Takes effect 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.

