

STAND. COM. REP. NO. 1122

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 282
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 282, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to permit a minor to consent to no cost emergency shelter and related services if the minor understands the benefits, responsibilities, risks, and limits of the shelter and services, and the minor agrees to adhere to the provider's rules and cooperate and participate in those services recommended by the provider.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network; LGBT Caucus of the Democratic Party of Hawai'i; Residential Youth Services and Empowerment; Partners in Care; Rainbow Family 808; Pride at Work - Hawaii; Hawai'i Health and Harm Reduction Center; Hawaii State AFL-CIO; Catholic Charities Hawai'i; Neighborhood Place of Puna; Hawaii Island Safe Net, Hawaii Island Coalition Against Human Trafficking, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness; Department of Human Services, Social Service Division and Department of Human Services.



Your Committee finds that enabling minors to consent for admission to an emergency youth shelter ensures that they are able to escape the dangers of living on the streets, in those rare situations in which consent from a parent or legal guardian cannot be obtained. Your Committee further finds that a minor may consent to no cost emergency shelter and related services absent permission from the minor's parent, legal guardian, or legal custodian, if the provider reasonably believes that the minor would incur harm, or would be subject to threatened harm, if the minor returned immediately to the home of the parent, legal guardian, or legal custodian. Your Committee also finds that any provider must make a reasonable attempt to contact the minor's parent, legal guardian, or legal custodian.

Your Committee heard the testimony of the governor's coordinator on Homelessness who commented that the existing definition of "provider" in section 346-17(h), Hawaii Revised Statutes, is too restrictive and may keep some youth service providers from offering temporary shelter to minors. The coordinator suggested that a broader definition could be enacted for a period of years during which the Department of Human Services could monitor any impacts stemming from the amended definition.

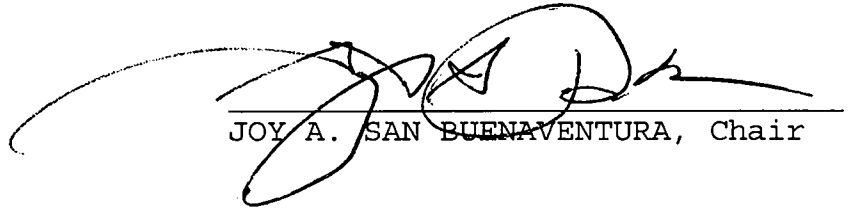
Your Committee has amended this measure by:

- (1) Amending the definition of "provider";
- (2) Making it effective upon its approval; provided there is a sunset date of June 30, 2023; and
- (3) Making a technical, nonsubstantive amendment 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. 282, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 282, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.



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



JOY A. SAN BUENAVENTURA, Chair



