

STAND. COM. REP. NO.

46

Honolulu, Hawaii

FEB 08 , 2021

RE: H.B. No. 570
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 570 entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ABUSE OF MINORS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Expand the time period by which a civil action for childhood sexual abuse must be initiated;
- (2) Extend the period during which a victim of childhood sexual abuse may bring an otherwise time-barred action against the victim's abuser or an entity having a duty of care;
- (3) Allow victims to recover treble damages in certain circumstances;
- (4) Prohibit settlement agreements and court orders that restrict disclosure of certain information; and
- (5) Provide for training of legal entities on trauma-informed response to sexual abuse allegations.

2021-1195 HB570 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Imua Alliance, Talbert Law LLC, Galiher DeRobertis & Waxman, The Sex Abuse Treatment Center, Planned Parenthood Votes Northwest and Hawaii, Hoola Na Pua, Hawaii Women's Coalition, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the majority of victims of childhood sexual abuse delay or withhold disclosure of their abuse, with an average delay in disclosure of twenty years. Victims of childhood sexual abuse may delay disclosure because of a lack of cognitive ability to discuss their trauma, fear of retaliation from their abuser, or any number of other reasons. Your Committee believes that extending the time period by which a victim of childhood sexual abuse must initiate a civil action against the victim's abuser will give victims of childhood sexual abuse a better opportunity to seek justice.

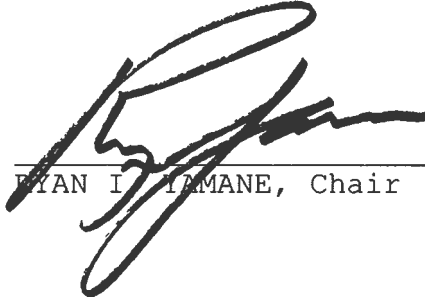
Your Committee has amended this measure by:

- (1) Removing the prohibition on settlement agreements and court orders that restrict disclosure of certain information;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 570, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN I. YAMANE, Chair



