

STAND. COM. REP. NO. **523** -22

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 2208  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 2208 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 may be initiated;
- (2) Adopt certain procedural requirements prior to the filing of a civil action for childhood sexual abuse or naming of "Doe" defendants; and
- (3) Allow a court to order the personnel of a legal entity against whom a claim is brought to undergo training on trauma-informed response to sexual abuse allegations.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, National Association of Social Workers-Hawai'i, Hawaiian Islands Association for Marriage and Family Therapy, Hawai'i Psychological Association, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your

2022-1354 HB2208 HD1 HSCR HMSO



Committee received comments on this measure from the Department of the Attorney General, The Sex Abuse Treatment Center, and Talbert Law LLC.

Your Committee finds that there are many reasons children delay disclosing sexual abuse. In the United States, one in five girls and one in twenty boys is a victim of childhood sexual abuse, and studies show that between sixty and eighty percent of survivors withhold disclosure. Of those who delay disclosure until adulthood, the average delay has been found to be approximately twenty years, with some survivors delaying up to fifty years. This measure provides sexual abuse victims with the necessary time and protections when they are ready for disclosure.

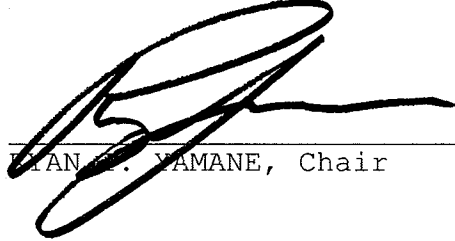
Your Committee has amended this measure by:

- (1) Ensuring that a judge, who reviews and makes a decision regarding a certificate of merit in the filing of an action against a defendant, is not the same judge who will be the trier of fact in the resulting action;
- (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. 2208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2208, 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,

A large, stylized handwritten signature in black ink, appearing to read 'Brian W. Yamane', is written over a horizontal line.

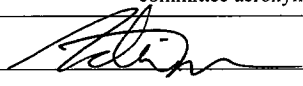
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BRIAN W. YAMANE, Chair



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCR 523-22

Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.: <b>HB 2208</b>	Committee Referral: <b>HHH, JHA</b>	Date: <b>02/10/2022</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HHH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TAM, Adrian K. (VC)	✓			
3. GATES, Cedric Asuega	✓			
4. HAR, Sharon E.	✓			
5. KAPELA, Jeanne	✓			
6. NISHIMOTO, Scott Y.	✓			
7. WARD, Gene				✓
<b>TOTAL (7)</b>	<b>6</b>			<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				