STAND. COM. REP. NO. 1729

Honolulu, Hawaii

APR 0 6 2023

RE: H.B. No. 777

H.D. 2

S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 777, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Department of Human Services to conduct background checks for current and prospective employees, volunteers, contractors, contractors' employees and volunteers, subcontractors, and subcontractors' employees and volunteers whose position places them or would place them in close proximity to certain minors, young adults, or vulnerable adults.

Your Committee received testimony in support of this measure from the Department of Human Services, Catholic Charities Hawaii, Hawai'i Health Systems Corporation, and five individuals. Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that the current pre-employment background clearance process includes the State of Hawaii namebased criminal history record check. It relies on prospective new hires to self-report any convictions outside of the State of Hawaii. Having the statutory authority to conduct comprehensive national and state fingerprint-based criminal history record

checks and periodic rechecks will allow the Department of Human Services to obtain information directly from the Federal Bureau of Investigations and the Hawaii Criminal Justice Data Center. This measure authorizes the Department of Human Services to conduct national and state background checks, which will ensure the health, safety, and well-being of minors, young adults, and vulnerable adults receiving child welfare, child protective services, extended foster care, higher education supports, social services, and adult protective or community services from the Department of Human Services.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 777, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 777, H.D. 2, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

Ide Many

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

| Bill / Resolution No.:* | Committee Referral: | | | Date: | |
|--|---------------------|---------------|----------|---------|---------|
| HB 777 HD2 5D1 | HHS/LBT, JDC | | | 3/30/23 | |
| The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | |
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| The Recommendation is: | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313 | | | | | |
| Members | | Aye 🦯 | Aye (WR) | Nay | Excused |
| RHOADS, Karl (C) | | V_{λ} | | | |
| GABBARD, Mike (VC) | | | / | | |
| ELEFANTE, Brandon J.C. | | V/ | | | |
| SAN BUENAVENTURA, Joy A | ١. | | | | |
| AWA, Brenton | | | | | |
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| TOTAL | _ | 5 | | | |
| Recommendation: Not Adopted Not Adopted | | | | | |
| Chair's or Designee's Signature: | | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | | |

^{*}Only one measure per Record of Votes