STAND. COM. REP. NO. 205 -24

Honolulu, Hawaii

, 2024

FEB 0 8

RE: H.B. No. 2159

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 2159 entitled:

"A BILL FOR AN ACT RELATING TO MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to require the Department of the Attorney General to assist in the preparation and filing of any petition for assisted community treatment and all related court proceedings, unless the petitioner declines assistance.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that assisted community treatment is a valuable tool for providing timely and necessary treatment for some individuals experiencing a mental health crisis. Your Committee further finds that improvements are needed to the State's assisted community treatment program and other methods used by the State to treat individuals suffering from untreated mental illness. Your Committee believes that improving the State's evaluation and assessment of individuals who may become, or already are, involved in the criminal justice system to determine if these persons should be diverted to a more

appropriate mental health program will ensure the State's response to these individuals is coordinated and comprehensive.

Accordingly, your Committee has amended this measure by:

- (1) Repealing language entitling the subject of a petition for assisted community treatment to legal representation by a public defender;
- (2) Inserting language providing a mechanism for the automatic screening of certain nonviolent petty misdemeanor defendants for involuntary hospitalization or assisted community treatment;
- (3) Inserting language authorizing the courts to require certain probation violators to undergo a mental health evaluation and treatment program as a condition of continued probation;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2159, 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 & Homelessness,

DELLA AU BELATTI, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR205-24

Record of Votes of the Committee on Health & Homelessness

Bill/Resolution No.:	Committee Referral:	Dat	e: 2/7/2	ı
HB3159	HLT, JHA, FIN		21710	1
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)				
2. TAKENOUCHI, Jenna (VC)				
3. AMATO, Terez			***	
4. ILAGAN, Greggor		leje Physio pr 11		
5. KOBAYASHI, Bertrand				
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6. MARTEN, Lisa				
		Sign of the State	2.5.2.1000	
7. NISHIMOTO, Scott Y.		<u>。</u>		<u> </u>
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8. GARCIA, Diamond		400	Harding and the second	
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TOTAL (8)	6			
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				
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