

JAN 22 2026

A BILL FOR AN ACT

RELATING TO CHILD WELFARE SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 346-51, Hawaii Revised Statutes, is amended to read as follows:

"§346-51 Public assistance and child welfare services administered by department. (a) The department of human services shall administer public assistance and child welfare services in the several counties except for payments administered under the federal supplemental security income program or its successor agency. No person shall be denied the right to petition the department for additional assistance as established under section 346-53(f).

(b) When administering child welfare services necessary for the protection and care of an abused or neglected child or a child in danger of becoming delinquent, the department shall:

(1) Record any child welfare interview conducted by the department through:

(A) An electronic video recording;

(B) Body camera video; or



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1 (C) Any other reasonable means of recording;
2 (2) Securely retain and store the recording required
3 pursuant to paragraph (1):
4 (A) For a minimum of five years; and
5 (B) In a manner with access controls and role-based
6 permission management; and
7 (3) Not release the recording required pursuant to
8 paragraph (1) to any third party except:
9 (A) As necessary to conduct an investigation pursuant
10 to section 587A-11 or for the prosecution of a
11 criminal offense; or
12 (B) Unless a court orders otherwise, to a caregiver
13 or guardian upon the caregiver's or guardian's
14 request in connection with a judicial proceeding.
15 (c) Any person or employee of the State who violates
16 subsection (b)(3) shall be guilty of a misdemeanor."

17 SECTION 2. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 3. New statutory material is underscored.



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1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Mike Gabbert



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Report Title:

DHS; Child Welfare Services; Interviews; Recordings; Penalty;
GRACIE Act

Description:

Requires the Department of Human Services to record any child welfare interview conducted by the Department when administering certain child welfare services. Requires the Department to store the recordings for a minimum of five years and under certain conditions. Prohibits the sharing of the recordings unless certain conditions are met. Establishes criminal penalties for violating prohibitions against sharing of the recordings.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

