

STAND. COM. REP. NO. **3334**

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 2096
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 2096, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO AGGRAVATED CIRCUMSTANCES IN CHILD PROTECTIVE PROCEEDINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify and expand procedures for aggravated circumstances determinations in Child Protective Act proceedings;
- (2) Authorize the Family Court to make a finding of aggravated circumstances at any stage of a Child Protective Act proceeding before the termination of parental rights, rather than limiting these findings to the return hearing; and
- (3) Incorporate the definition of torture under the Penal Code for purposes of defining aggravated circumstances involving child torture under the Child Protective Act.

Your Committee received testimony in support of this measure from the Judiciary and Center for the Rights of Abused Children.




Your Committee finds that in many cases involving extreme abuse, the full evidentiary record often does not exist at the time of the initial return hearing. Investigations can be complex, and medical evaluations, forensic analysis, and expert review may take substantial time. Additionally, children themselves may not immediately disclose the full extent of the abuse. Your Committee further finds that allowing flexibility in the timing of aggravated circumstances determinations enables the Family Court to respond more effectively to the unique and evolving facts of each case, promoting timely decision-making and better protecting the safety and welfare of children. This measure prioritizes childrens' rights to safety by strengthening the court system's ability to respond proportionately and responsibly when alleged aggravated circumstances are present.

Your Committee has amended this measure by making it effective upon its approval.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2096, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2096, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

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



JOY A. SAN BUENAVENTURA, Chair



