

STAND. COM. REP. NO. 3750

Honolulu, Hawaii

APR 10 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 Judiciary, to which was referred H.B. No. 2096, H.D. 2, S.D. 1, 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 state 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 under existing law, the Family Court may only make a finding that aggravated circumstances are present at the return hearing, which occurs at the outset of a case. However, the full evidentiary record of abuse may not be known at this hearing and the child may not immediately disclose the full extent of abuse, creating a procedural gap. This measure will expand the authority of the Family Court in child protective proceedings to find that aggravated circumstances are present at any stage prior to the termination of parental rights to better protect the safety and welfare of children.

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. 2096, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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



KARL RHOADS, Chair



