

ACT 260

S.B. NO. 951

A Bill for an Act Relating to Child Protection.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 350-1.1, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) The initial oral report shall be followed as soon as possible by a report in writing to the department; provided that:

- (1) If a police department or the department of law enforcement is the initiating agency, a written report shall be filed with the department for cases that the police or the department of law enforcement takes further action on or for active cases in the department under this chapter;
- (2) All written reports shall contain the name and address of the child and the child’s parents or other persons responsible for the child’s care, if known~~[-]; the military status of the child’s parents or other persons responsible for the child’s care, if known;~~ the child’s age~~[-];~~ the nature and extent of the child’s injuries~~[-];~~ and any other information that the reporter believes might be helpful or relevant to the investigation of the child abuse or neglect; and
- (3) This subsection shall not be construed to serve as a cause of action against the department, the police, or the department of law enforcement.”

SECTION 2. Section 350-2, Hawaii Revised Statutes, is amended to read as follows:

“**§350-2 Action on reporting.** (a) Upon receiving a report concerning child abuse or neglect, the department shall proceed pursuant to chapter 587A and the department’s rules.

(b) The department shall inform the appropriate police department of all reports received by the department regarding a case of child abuse or neglect, including reports received under section 350-1.1; provided that the name of the person who reported the case of child abuse or neglect shall be released to the police department pursuant only to court order or the person’s consent.

(c) Upon receiving a report, if there is sufficient information to determine that the report involves a family where one of the parents, guardians, or alleged perpetrators is a member of an identifiable branch of the United States military, the department shall inform the appropriate authority for that branch of the military.

~~[(e)]~~ (d) The department shall inform the appropriate police department or office of the prosecuting attorney of the relevant information concerning a case of child abuse or neglect when the information is required by the police department or the office of the prosecuting attorney for the investigation or prosecution of that case; provided that the name of the person who reported the case of child abuse or neglect shall be released to the police department or the office of the prosecuting attorney pursuant only to court order or the person’s consent.

~~[(d)]~~ (e) The department shall maintain a central registry of reported child abuse or neglect cases in accordance with section 350-2.5.

~~[(e)]~~ (f) For a confirmed case of child abuse or neglect that occurred at a licensed or registered child care facility as defined in section 346-151, the department ~~[is authorized to]~~ may disclose that the report of child abuse or neglect was confirmed to any parent or guardian of a child who was enrolled at the licensed or registered child care facility as defined in section 346-151.

~~[(f)]~~ (g) For a confirmed case of child abuse or neglect that occurred at a child care facility as defined in section 346-151 that is operating in accordance with an exclusion or exemption pursuant to section 346-152 and upon receipt of consent, the department ~~[is authorized to]~~ may disclose the report of child abuse or neglect was confirmed to any parent or guardian of a child who was enrolled at the child care facility.

~~[(g)]~~ (h) For a confirmed case of child abuse or neglect that results in a child's death or near fatality, the department ~~[is authorized to]~~ may disclose to the public:

- (1) The cause of and circumstances regarding the fatality or near fatality;
- (2) The age and gender of the child;
- (3) Information describing any previous reports and results of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or near fatality; and
- (4) The action taken by the department on behalf of the child that is pertinent to the child abuse or neglect that led to the fatality or near fatality.

~~[(h)]~~ (i) The department shall adopt rules as may be necessary in carrying out this section."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval; provided that section 2 shall take effect on July 1, 2025.

(Approved July 1, 2025.)