

STAND. COM. REP. NO. 1417

Honolulu, Hawaii

April 5, 2011

RE: S.B. No. 1301
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1301, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAIR HOUSING EXEMPTIONS,"

begs leave to report as follows:

The purpose of this bill is to make the exemptions under state fair housing laws for prohibited discriminatory practices consistent with similar exemptions found in the federal Fair Housing Act by:

- (1) Clarifying that owners in addition to lessors are not prohibited from employing certain discriminatory practices in real estate transactions if the owner or lessor resides in a housing accommodation, and the owner or lessor:
 - (A) Rents out the housing accommodation in a building which contains housing accommodations for not more than two families living independently of each other; or
 - (B) Rents out a room or up to four rooms in the housing accommodation;

and

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- (2) Making it a discriminatory practice in a real estate transaction when a person or conspiring persons, including owners and lessors residing in specified units prints, circulates, posts, or mails a statement, advertisement or sign; uses an application form; or makes a record that indicates an intent to make a limitation, specification, or discriminate because of a specified status, including race, sexual orientation, familial status, or HIV status.

The Hawaii Civil Rights Commission testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for clarity, consistency, and style.

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 S.B. No. 1301, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1301, S.D. 1, H.D. 1.

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



GILBERT KEITH-AGARAN, Chair



