

Honolulu, Hawaii
February 11, 2014

RE: H.B. No. 676
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 676, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION,"

begs leave to report as follows:

The purpose of this measure is to protect renters from discrimination in residential rental transactions by:

- (1) Establishing the refusal to engage or discrimination in residential rental transactions and related transactions and services on the basis of a renter's source of income as a prohibited discriminatory practice;
- (2) Voiding all covenants or conditions in existing and future oral agreements or documents relating to residential premises that forbid or restrict occupancy on the basis of source of income; and
- (3) Prohibiting blockbusting and other discriminatory practices in residential rental transactions, including advertising that certain renters will not be considered, based on source of income.

The Hawaii Civil Rights Commission testified in support of this measure. The Hawaii Association of Realtors and numerous concerned individuals testified in opposition to this bill.



Your Committee has amended this measure by:

- (1) Deleting provisions that would have prohibited a variety of individually listed discriminatory actions relating to residential rental transactions;
- (2) Adding a new section to the residential landlord tenant code broadly prohibiting any person from refusing to engage in a rental transaction with another individual solely because that individual is a recipient of public benefits;
- (3) Clarifying that the definition of "real estate transaction" includes advertising;
- (4) Defining public benefits to mean any government or private assistance, grant, loan, or rental assistance program, including low-income housing assistance certificates and vouchers such as section 8 assistance; and
- (5) 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 H.B. No. 676, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 676, H.D. 2.

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



KARL RHOADS, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 676 HD 1	Committee Referral: CPC, JUD	Date: 1/30/14		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. HAR, Sharon E. (VC)	X			
3. BELATTI, Della Au				X
4. BROWER, Tom	X			
5. CREAGAN, Richard	X			
6. ITO, Ken		X		
7. KAWAKAMI, Derek S.K.		X		
8. LEE, Chris	X			
9. NAKASHIMA, Mark M.	X			
10. TSUJI, Clift		X		
11. WOOLEY, Jessica	X			
12. MCDERMOTT, Bob	X			
13. THIELEN, Cynthia	X			
TOTAL (13)	9	3		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral _____ committee acronym(s) _____ did not support recommendation.				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				