

JAN 23 2015

A BILL FOR AN ACT

RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 368-13, Hawaii Revised Statutes, is
2 amended by amending subsection (e) to read as follows:

3 "(e) Where the executive director has determined that
4 there is reasonable cause to believe that an unlawful
5 discriminatory practice has occurred and has been unable to
6 secure from the respondent a conciliation agreement acceptable
7 to the commission within [~~one hundred and~~ one hundred eighty
8 days of the filing of the complaint unless the commission has
9 granted an extension of time, the executive director [~~shall~~
10 demand], in the executive director's discretion, may:

11 (1) Demand that the respondent cease the unlawful
12 discriminatory practice[~~;~~]; or

13 (2) Dismiss the complaint and issue a notice of right to
14 sue to the complainant indicating that the complainant
15 may bring a civil action as provided under section
16 368-12.

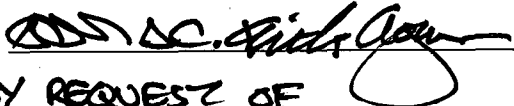


1 The executive director's determination that a final
2 conciliation demand is to be made shall be subject to
3 reconsideration by the commission on its own initiative but
4 shall not be subject to judicial review. The executive director
5 may demand appropriate affirmative action as, in the judgment of
6 the executive director, will effectuate the purpose of this
7 chapter, and include a requirement for reporting on the manner
8 of compliance. The executive director's determination that a
9 complaint is to be dismissed and a notice of right to sue issued
10 shall not be subject to reconsideration by the commission or
11 judicial review."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval.

15

INTRODUCED BY: 
BY REQUEST OF
ANOTHER PERSON

S.B. NO. 362

Report Title:

Hawaii Civil Rights Commission; Investigation and Conciliation of Complaint

Description:

Provides for the executive director of the Hawaii civil rights commission to exercise discretion in cases after a determination is made and conciliation fails to either issue a final demand or dismiss the complaint and issue a notice of the right to sue.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

