

STAND. COM. REP. NO.

200

Honolulu, Hawaii

February 8, 2019

RE: H.B. No. 1100
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Public Safety, Veterans, & Military
Affairs, to which was referred H.B. No. 1100 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY ACCESS TO SHELTER,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the denial of emergency shelter by public establishments and requires the State to compensate owners of public establishments to repair any documented property damages caused by persons sheltered;
- (2) Clarify that public establishments and their agents and employees are protected from liability when providing emergency shelter; and
- (3) Clarify that any remuneration paid to owners of private property for services or incidental commodities during the disaster does not void the exemption from civil liability afforded to these owners, except where owners increase the sale price of any service or incidental commodity during the disaster.



The Hawaii Emergency Management Agency and O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i supported this measure. The Hawaii Medical Services Association and Hawaii Association for Justice offered comments on this measure.

Your Committee has amended this measure by:

- (1) Clarifying that requirements for emergency shelter to be provided by public establishments are:
 - (a) To the extent reasonably practicable and compliant with the law; and
 - (b) During the public establishment's normal working hours; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Public Safety, Veterans, & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1100, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1100, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Veterans, & Military Affairs,



GREGG TAKAYAMA, Chair



