

STAND. COM. REP. NO.

1278

Honolulu, Hawaii

MAR 20 2019

RE: H.B. No. 903
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 903, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Judiciary to establish a financial hardship task force.

Your Committee received testimony in support of this measure from the Judiciary; Community Alliance on Prisons; Hawaii Island HIV/AIDS Foundation; Habitat for Humanity Hawaii Island, Inc.; O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; and four individuals.

Your Committee finds that under existing law, individuals who cannot afford to pay court-ordered fines or fees may have their driver's licenses suspended for failure to pay. Your Committee further finds that, especially for low-income persons or persons living in remote areas with minimal or no public transportation, driver's license suspension may deprive individuals of their only means of transportation to and from work, threatening their employment. Your Committee additionally finds that with limited or no income, individuals are even less likely to pay fines or fees, which may lead to greater penalties. This measure will require the Judiciary to establish a task force to examine the



disparate impact of existing judiciary policies on low-income individuals in the court system.

Your Committee has amended this measure by:

- (1) Limiting the scope of the task force to:
 - (A) Examining the financial disparity imposed on low-income individuals in the court system;
 - (B) Analyzing other mechanisms regarding the nonpayment of fines rather than suspending drivers' licenses;
 - (C) Coordinating with applicable agencies; and
 - (D) Analyzing any other programs deemed necessary; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 903, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 903, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:* HB 903 HOI	Committee Referral: JDC, WAM	Date: 3/12/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes