

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 991
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 Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary, to which was referred H.B. No. 991, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO STATE MILITARY FORCES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Apply the protections of the state Civil Relief for State Military Forces law to persons serving on full-time National Guard duty under title 32 United States Code section 101, et seq.; and
- (2) Align the Hawaii Revised Statutes with the federal Servicemembers Civil Relief Act, title 50 United States Code chapter 50 sections 3901 through 4043.

Your Committees received testimony in support of this measure from the Department of Defense and two individuals.

Your Committees find that the federal Servicemembers Civil Relief Act (SCRA) provides a wide range of legal protections for members of the armed services who are called to military duty. For example, the SCRA has provisions to prevent landlords from evicting a deployed tenant.



Your Committees further find that a coverage gap exists for servicemembers serving on full-time National Guard duty in the State. The SCRA covers Title 32 service members mobilized to respond to a national emergency declared by the President, but this provision does not extend to service members on full-time National Guard duty pursuant to Title 32, nor are these members covered by the State's Civil Relief for State Military Forces law under chapter 657D, Hawaii Revised Statutes. This measure cures this coverage gap by amending chapter 657D, Hawaii Revised Statutes, to provide servicemembers similar protections as afforded by the SCRA.

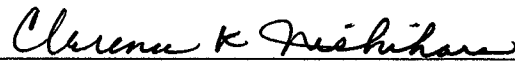
Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 991, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 991, 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
Committees on Public Safety,
Intergovernmental, and Military
Affairs and Judiciary,



KARL RHOADS, Chair



CLARENCE K. NISHIHARA, Chair



