

STAND. COM. REP. NO. 480

Honolulu, Hawaii

FEB 15 2019
RE: S.B. No. 122
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 Housing, to which was referred S.B. No. 122 entitled:

"A BILL FOR AN ACT RELATING TO RENTAL DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in real property transactions and requirements.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, LGBT Caucus of the Democratic Party of Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that low-income individuals experience extreme difficulty in finding affordable rentals in Hawaii and are often faced with discrimination based on their source of income. Your Committee further finds that there have been numerous cases of housing vacancy advertisements proclaiming that they do not accept section 8 housing voucher recipients as potential tenants.



Your Committee also finds that Hawaii currently does not prohibit housing discrimination based on lawful sources of income, including the use of housing vouchers, whereas ten states and the District of Columbia do. This measure will address a key barrier to housing for many low-income and homeless individuals and families by prohibiting discrimination against any individual based on their source of income.

Your Committee recognizes the concern expressed by the Department of Commerce and Consumer Affairs that it is not the appropriate agency to produce and publicize materials relating to housing discrimination based on income received from housing assistance programs. Your Committee therefore finds that an amendment is necessary to correct this requirement.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language, as suggested by the Hawai'i Civil Rights Commission, establishing remedies for discrimination based on participation, or requirements related to participation, in a housing assistance program and clarifying that these remedies only apply to discrimination based on participation, or requirements related to participation, in a housing assistance program;
- (2) Removing the Department of Commerce and Consumer Affairs' responsibility and requiring only the Hawai'i Civil Rights Commission to produce materials and publicize the prohibition against discrimination based on participation, or requirements related to participation, in housing assistance programs; and
- (3) 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 122, S.D. 1, and be referred to your Committee on Judiciary.



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


STANLEY CHANG, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Housing
HOU

Bill / Resolution No.:* SB 122	Committee Referral: HOU, JDC	Date: 2/12/2019		
<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
CHANG, Stanley (C)	✓			
KANUHA, Dru Mamo (VC)				✓
MORIWAKI, Sharon Y.	✓			
THIELEN, Laura H.	✓			
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