

Ka 'Aha Kenekoa  
THE SENATE

Ka 'Aha 'Ōlelo Kanakolu  
THE THIRTIETH LEGISLATURE

'Aha Kau Kānāwai 2019  
REGULAR SESSION OF 2019

Ke Kōmike Ho'okolokolo  
COMMITTEE ON JUDICIARY  
Kenekoa/Senator Karl Rhoads, Luna Ho'omalu/Chair  
Kenekoa/Senator Glenn Wakai, Hope Luna Ho'omalu/Vice Chair

'Ōlelo Ho'olaha No Ka 'Aha Ho'olohe  
NOTICE OF HEARING

Lā / DATE: Pō'aluā, Pepeluali 12, 2019 / Tuesday, February 12, 2019  
Hala / TIME: 9:00 a.m.  
Wahi / PLACE: Lumi 'Aha Kūkā 016 / Conference Room 016  
Ke Kapikala Moku'āina / State Capitol  
415 South Beretania Street

Papa Kumuhana  
A G E N D A

**SB 2**

[Status &  
Testimony](#)

RELATING TO CRIMINAL DEFENSE.

JDC

Prohibits defendants from claiming that discovery, knowledge, or disclosure of a victim's gender, gender identity, gender expression, or sexual orientation resulted in extreme mental or emotional disturbance sufficient to reduce a charge of murder to a charge of manslaughter unless the other circumstances of a defendant's explanation are already sufficient to reasonably find extreme mental or emotional disturbance. Requires the court to instruct the jury to disregard bias and prejudice regarding gender, gender identity, gender expression, or sexual orientation when a defendant's explanation of extreme mental or emotional disturbance includes discovery, knowledge, or disclosure of a victim's gender, gender identity, gender expression, or sexual orientation.

**SB 94**

[Status &  
Testimony](#)

RELATING TO ELECTIONS.

JDC

Requires candidates for president and vice president of the United States to post their most recent income tax return on the Internet at least sixty days prior to and continuing through the date of the general election for free access by the public in order to be included on the state ballot, subject to certain conditions. Prohibits electors from voting for a candidate for president or vice president of the United States unless the candidates have posted their most recent income tax return on the Internet at least sixty days prior to and continuing through the date of the general election for free access by the public, subject to certain conditions.

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<a href="#"><u>SB 107</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO VOTING. Provides that the ballot of an absentee or military-overseas voter is valid even if the voter becomes ineligible to vote after casting the ballot. Repeals the requirement that an absentee voter's ballot be deemed invalid if the voter returns the return envelope but dies prior to the opening of polls.	JDC
<a href="#"><u>SB 138</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO REPORTS OF CANDIDATE COMMITTEES. Adds a campaign spending report filing deadline of 10/1 during a general election year for candidates and candidate committees.	JDC
<a href="#"><u>SB 139</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO ELECTIONEERING COMMUNICATIONS. Amends the definition of "disclosure date" in section 11-341(d), HRS, to mean the date when the electioneering communication is publicly distributed. Expands the definition of "electioneering communication" in section 11-341(d), HRS, to apply to advertisements sent by any mail rate and those that are expenditures of an organization. Repeals section 11-341(e), HRS.	JDC
<a href="#"><u>SB 140</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO CAMPAIGN REPORTS. Requires candidates who do not intend to receive or spend more than \$1,000 in an election period to notify the Campaign Spending Commission of this intention by 6/30 of an election year, and noncandidate committees that do not intend to receive or spend more than \$1,000 in an election period to notify the Commission of this intention by the 5th day before the due date of the preliminary primary report.	JDC
<a href="#"><u>SB 143</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO ETHICS. Restores statutory protection for legislators when carrying out a legislative function. Clarifies public disclosure requirements for task force members.	JDC
<a href="#"><u>SB 179</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO SEARCH WARRANTS. Clarifies and expressly authorizes that search warrants may be issued based upon oral statements or electronic communications.	JDC
<a href="#"><u>SB 197</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO CAMPAIGN FINANCE. Establishes an exemption from the prohibition against using election campaign funds to make charitable donations or to award scholarships during the period from the filing of nomination papers to the date of the general election for candidates who are already declared elected to office after running unopposed in an election or who would be unopposed in the general election.	JDC
<a href="#"><u>SB 414</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO CRIMINAL PROCEDURE. Creates procedural and administrative requirements for law enforcement agencies for eyewitness identifications of suspects in criminal investigations. Grants a defendant the right to challenge any eyewitness identification to be used at trial in a pretrial evidentiary hearing. Effective January 1, 2020.	JDC

Appropriates funds for two full-time equivalent (2.0 FTE) positions, operating costs, and equipment to support the Attorney General's Hawaii Criminal Justice Data Center in administering the Address Confidentiality Program.

**Inā lawa ka manawa, e ho'oholo mana'o ma hope pono.  
Decision Making to follow, if time permits.**

E waiho mai i kāu 'ōlelo hō'ike no ke Kōmike Ho'okolokolo ma o ke kaomi 'ana ma 'ane'i.  
Click [here](#) to submit testimony to the Senate Committee on Judiciary.

Hiki ke waiho mai i ka 'ōlelo hō'ike a hiki i 24 hola ma mua o ka ho'omaka 'ana o ka 'aha ho'olohe.  
**Testimony may be submitted up to 24 hours prior to the start of the hearing.**

**Inā makemake e waiho i 'ōlelo hō'ike ha'i waha, he 'elua minuke wale nō ka lō'ihī loa.  
Those wishing to provide oral testimony will be limited to two minutes.**

**No Nā Papa 'Ōlelo Ho'olaha I Ho'ololi 'Ia:** Kahawaena 'ia nā pila i kāpae 'ia a kahalalo 'ia nā pila i pāku'i 'ia. Kahawaena 'ia me ke kahalalo pū 'ia nā pila i kāpae 'ia mai ka papa kumumana'o.

**FOR AMENDED NOTICES:** Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

No nā mea pono kōkua unuhi, a i 'ole kekahi mau mea lawelawe 'ē a'e no ke komo 'ana i nā hanana ma ka 'aha ho'olohe, e kāhea aku i ke kākau 'ōlelo kōmike he 24 hola ma ka li'ili'i loa ma mua o ka 'aha ho'olohe i mea e hiki ai ke ho'omākaukau pono.

If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

No Ka 'Ike 'Ē A'e, E Kelepona Aku I Ke Kākau 'Ōlelo Kōmike Ma (808) 586-6130.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-6130.

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Kenekoa/Senator Karl Rhoads  
Luna Ho'omalū/Chair