

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'ahā, Malaki 14, 2019 / Thursday, March 14, 2019
Hola / TIME: 9:30 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

<u>HB 31, HD1</u> <u>(HSCR474)</u> <u>Status & Testimony</u>	RELATING TO ELECTION NOMINATION PAPERS. Amends the voter information requirements for election nomination papers and the withdrawal of a nominating voter's signature by requiring only the month and date portions of a voter's date of birth. Repeals the social security number requirements. (HB31 HD1)	JDC
<u>HB 164, HD1</u> <u>(HSCR960)</u> <u>Status & Testimony</u>	RELATING TO ELECTIONEERING COMMUNICATIONS. Applies the electioneering communication section only to noncandidate committees. Amends the definition of "disclosure date" 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: (1) sent by any mail rate; (2) that are expenditures of an organization; and (3) are made or scheduled to be made within 90 days of an election. Repeals section 11-341(e), HRS. Requires any advertisement by a noncandidate committee that makes only independent expenditures to disclose all contributors for the advertisements. (HB164 HD1)	JDC
<u>HB 200, HD2</u> <u>(HSCR1167)</u> <u>Status & Testimony</u>	RELATING TO CRUELTY TO ANIMALS. Prohibits specified trolleys, pulleys, cables, or running lines designed to attach a dog to two stationary objects that endanger, or deny sustenance to, a dog. Provides an affirmative defense for tethering a dog under the age of six months under certain circumstances. (HB200 HD2)	JDC

<p><u>HB 217, HD1</u> <u>(HSCR953)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CHILDREN. Requires that when an officer has custody of a child under the age of 16 for an alleged violation of law, the child shall consult with legal counsel before the child waives any constitutional rights and before any custodial interrogation. (HB217 HD1)</p>	<p>JDC</p>
<p><u>HB 295, HD1</u> <u>(HSCR933)</u> <u>Status & Testimony</u></p>	<p>RELATING TO DOMESTIC ABUSE. Amends the definition of domestic abuse under Hawaii's insurance laws and domestic abuse protective order statutes to include emotional abuse between family or household members. Defines emotional abuse. (HB295 HD1)</p>	<p>JDC</p>
<p><u>HB 437, HD1</u> <u>(HSCR1207)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CRIME VICTIM COMPENSATION FOR MENTAL HEALTH SERVICES. Authorizes crime victim compensation for mental health services for survivors in cases involving a death and for children who witness domestic violence. (HB437 HD1)</p>	<p>JDC, WAM</p>
<p><u>HB 486, HD1</u> <u>(HSCR952)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PROSTITUTION. Removes the criminal statute of limitations for sex trafficking and promoting prostitution. Exempts minors from criminal liability for prostitution. Permits persons convicted of certain prostitution offenses to file a motion to vacate the conviction if the defendant is not convicted of another offense under the Penal Code within three years of the prostitution offense. Establishes minimum criminal and regulatory penalties for prostitution, sex trafficking, and promoting travel for prostitution. Incorporates the offense of solicitation of a minor for prostitution into the offense of sex trafficking, which is a class A felony. Reduces the state of mind requirement for the offense of promoting prostitution. Repeals the offense of street solicitation of prostitution. (HB486 HD1)</p>	<p>JDC</p>
<p><u>HB 711, HD1</u> <u>(HSCR955)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CRIMINAL DEFENSE. Amends the affirmative defense to murder or attempted murder of extreme mental or emotional disturbance by prohibiting explanations based solely on the defendant's discovery, knowledge, or disclosure of the victim's gender, gender identity or expression, or sexual orientation. Requires the court to instruct the jury to disregard bias and prejudice if a defendant's explanation includes the discovery of a victim's gender, gender identity or expression, or sexual orientation. (HB711 HD1)</p>	<p>JDC</p>
<p><u>HB 748, HD2</u> <u>(HSCR1229)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PROPERTY FORFEITURE. Prohibits civil asset forfeiture unless the covered offense is a felony for which the property owner has been convicted. Excludes the forfeiture proceedings for an animal pending criminal charges. Requires the Attorney General to distribute one half of all forfeited property and the sale proceeds thereof to the Hawaii law enforcement assisted diversion program, with the remaining half to be distributed to the state general fund. (HB748 HD2)</p>	<p>JDC, WAM</p>

[HB 1248, HD1](#)
[\(HSCR971\)](#)
[Status & Testimony](#)

RELATING TO ELECTIONS. JDC, WAM

Enacts voting by mail uniformly across all counties for all elections commencing in 2020. Appropriates funds for the implementation and administration of the election by mail program. Requires the office of elections to submit a report to the legislature regarding the implementation of a vote by mail system. (HB1248 HD1)

[HB 1433, HD1](#)
[\(HSCR834\)](#)
[Status & Testimony](#)

RELATING TO ADDRESS CONFIDENTIALITY. JDC, WAM

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. (HB1433 HD1)

**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'ihi 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.

Kenekoa/Senator Karl Rhoads
Luna Ho'omalua/Chair