

Honolulu, Hawaii

, 2020

FEB 14

RE: H.B. No. 2679
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2679, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PENALTIES,"

begs leave to report as follows:

The purpose of this measure is to establish, within the Traffic Violations Bureau of the District Court of the First Circuit, a three-year pilot project that requires the court to adjust court-imposed monetary assessments resulting from motor vehicle moving violations and establishes income-based adjustments for related fines.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Community Alliance on Prisons, ACLU of Hawaii, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Health and Harm Reduction Center, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that an income-based civil fine system creates more equitable results than a flat fine system. Your Committee further finds that there is significant evidence that an income-based system leads to higher rates of payment and lower defaults by violators than a flat fine system, and better deters civil infractions. However, your Committee believes that further



research is needed regarding income-based fines and how other states address habitual offenders who have low incomes.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its substantive contents;
- (2) Requiring the Judiciary to conduct a study regarding income-based fines and how other states address habitual offenders who have low incomes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2679, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2679, H.D. 2.

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



CHRIS LEE, Chair



