

STAND. COM. REP. NO.

3405

Honolulu, Hawaii

MAR 13 2020

RE: H.B. No. 2679
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
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. 2, entitled:

"A BILL FOR AN ACT RELATING TO PENALTIES,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Judiciary to conduct a study to determine how to most easily implement a system of income-based fines as a pilot project for an appropriate offense or offenses.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that the final report of the Financial Hardship Task Force, authorized by Act 112, Session Laws of Hawaii 2019, found that the courts have existing authority to utilize several options to allow a motorist to satisfy their legal financial obligation if the motorist is experiencing financial hardship. Included among these options is the ability to convert traffic fines to community service, adjust down monetary assessments when requested by a motorist facing financial hardship, extend the period of time that a motorist has to pay the monetary assessment, and enroll motorists in the restricted



license program, which allows a motorist to continue to drive while paying down outstanding traffic monetary assessments. Although the task force did not recommend that the Judiciary conduct a study to determine how to most easily implement a system of income-based fines, your Committee believes that a meaningful examination should occur to ensure that economic status does not result in unequal treatment under the law.

Your Committee has amended this measure by requiring the Judiciary to submit its report to the Legislature forty days prior to the convening of the Regular Session of 2022.

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. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2679, H.D. 2, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Judiciary
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2679 HD2	JDC, WAM	2/10/2020		
<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
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt				/
TOTAL	4			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