

THE SENATE
THE THIRTIETH LEGISLATURE
REGULAR SESSION OF 2020

[COMMITTEE ON JUDICIARY](#)
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, June 30, 2020
TIME: 9:46 A.M.
PLACE: Conference Room 016
State Capitol
415 South Beretania Street

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 EPIDEMIC

In order to comply with social distancing requirements, only written testimony will be accepted.

A live stream of all Senate Standing Committee meetings will be available online.
Selected hearings will also be broadcast live on 'Ōlelo Community Media.

Click [here](#) for the live stream of this meeting (link available shortly before the scheduled start time).

A G E N D A

HB 1529, HD2, SD1 (SSCR3664) Status & Testimony	RELATING TO STUDENT JOURNALISTS. Allows student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media. Takes effect on 7/1/2055. (SD1)	EDU, JDC
HB 1620, HD2, SD1 (SSCR3660) Status & Testimony	RELATING TO THE ADMINISTRATION OF JUSTICE. Amends the effect of finding a defendant charged with a petty misdemeanor not involving violence or attempted violence unfit to proceed. Amends the requirements for fitness determination hearings, court-appointed examiners, and examination reports. Authorizes the courts to enter into agreements to divert into residential, rehabilitative, and other treatment those defendants whose physical or mental disease, disorder, or defect is believed to have become or will become an issue in a judicial case. Amends the requirements for appointing qualified examiners to perform examinations for penal responsibility. Removes the time requirement for the ordering of the penal responsibility evaluation. Effective 7/1/2050. (SD1)	CPH, JDC
HB 1678, HD1, SD1 (SSCR3451) Status & Testimony	RELATING TO MUSICAL PERFORMANCES. Prohibits a person from advertising or conducting a live musical performance or production through the use of a deceptive affiliation under certain conditions. Enables action against deceptive practices by imposing penalties and private right of action. (SD1)	CPH, JDC

<p><u>HB 1701, HD1, SD1</u> (SSCR3558) Status & Testimony</p>	<p>RELATING TO EQUAL PAY. Conforms statutory prohibitions against wage discrimination with other prohibitions on employment discrimination. Clarifies allowable justifications for compensation differentials and remedies for pay disparity. Requires employers to disclose wage ranges to employees and prospective employees. Takes effect 1/1/2050. (SD1)</p>	<p>LCA, JDC</p>
<p><u>HB 1748, HD1</u> (SSCR3446) Status & Testimony</p>	<p>RELATING TO WILDLIFE OFFENSES. Provides that all animal parts, products, or items containing prohibited animal parts or products involved in the commission of wildlife trafficking or certain hunting offenses shall be considered contraband to be forfeited to and disposed of by the State. (HD1)</p>	<p>AEN, JDC</p>
<p><u>HB 1942, HD2, SD1</u> (SSCR3676) Status & Testimony</p>	<p>RELATING TO CHILD ABUSE REPORTING. Adds members of the clergy, commercial computer technicians, and commercial film, and photographic print or image processors to the categories of persons who are required to report child abuse and neglect to DHS or police. Provides a "safe harbor" through December 31, 2020, for reporting by clergy of known or suspected child abuse that was previously unreported. Effective January 1, 2050. (SD1)</p>	<p>HMS, JDC</p>
<p><u>HB 1978, HD1</u> (SSCR3675) Status & Testimony</p>	<p>RELATING TO SPECIAL IMMIGRANT JUVENILE STATUS. Specifies that the family court has jurisdiction in proceedings concerning the custody or guardianship of an immigrant child pursuant to a motion for Special Immigrant Juvenile factual findings requesting a determination that the child was abused, neglected, or abandoned before the age of 18. Effective 12/31/2059. (HD1)</p>	<p>HMS, JDC</p>
<p><u>HB 2043, HD2, SD1</u> (SSCR3457) Status & Testimony</p>	<p>RELATING TO ADOLESCENT MENTAL HEALTH CARE. Allows an unlicensed mental health professional, working under the supervision of a licensed mental health professional, to provide mental health treatment or counseling services to minors without parental or legal guardian consent, knowledge, or participation. Requires a mental health professional to ensure that the covered entity has been notified that minor-initiated mental health treatment or counseling services should not be disclosed. Requires a covered entity, upon notification that minor-initiated mental health treatment or counseling services should not be disclosed, to maintain the confidentiality of minor-initiated mental health treatment or counseling services. Takes effect on 7/1/2050. (SD1)</p>	<p>CPH, JDC</p>
<p><u>HB 2054, HD1, SD1</u> (SSCR3554) Status & Testimony</p>	<p>RELATING TO EMPLOYMENT PRACTICES. Prohibits an employer from requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault. Prohibits an employer from retaliating against an employee for disclosing or discussing sexual harassment or sexual assault. Takes effect upon its approval. (SD1)</p>	<p>LCA, JDC</p>

<p><u>HB 2091, HD1, SD1</u> (SSCR3671) Status & Testimony</p>	<p>RELATING TO CRIMINAL HISTORY RECORD CHECKS. Allows the University of Hawaii to conduct criminal history record checks on current or prospective employees, and contractors and their employees, whose duties include ensuring security of campus facilities and persons. (SD1)</p>	<p>HRE, JDC</p>
<p><u>HB 2097, HD2, SD1</u> (SSCR3477) Status & Testimony</p>	<p>RELATING TO MEDICAL CANNABIS. Authorizes the Department of Health to consider processes that may allow cannabis or manufactured cannabis products that fail testing to be remediated. Allows the Department of Health to allow licensed dispensaries to provide educational and scientific information and sponsor events related to medical cannabis. Effective 7/1/2050. (SD1)</p>	<p>CPH, JDC</p>
<p><u>HB 2124, HD1, SD1</u> (SSCR3501) Status & Testimony</p>	<p>RELATING TO THE CODE OF ETHICS. Prohibits certain former State employees from representing certain interests in a legislative or administrative action before the State for twelve months after the termination of their employment. Effective 1/1/2050. (SD1)</p>	<p>GVO, JDC</p>
<p><u>HB 2162, HD2</u> (SSCR3502) Status & Testimony</p>	<p>RELATING TO TOWING. Clarifies the fees tow companies may charge. Clarifies the duties of tow companies when vehicle owners arrive on the scene while their vehicles are in the process of being hooked up. Requires tow and storage companies to accept credit cards. Subjects violations of the towing statute to the penalties and remedies under the State's unfair or deceptive acts or practices law. Adds definitions for clarity. Effective 7/1/2050. (HD2)</p>	<p>TRS/CPH, JDC</p>
<p><u>HB 2253, HD1, SD1</u> (SSCR3453) Status & Testimony</p>	<p>RELATING TO THE TRAFFIC CODE. Amends the statewide traffic code to allow for the chairperson of the BLNR and county chiefs of police to designate state or county employees or contractors to issue citations for traffic violations. Effective upon approval. (SD1)</p>	<p>TRS, JDC</p>
<p><u>HB 2273, HD1, SD1</u> (SSCR3549) Status & Testimony</p>	<p>RELATING TO WAGES. Increases the penalty for violation of wages and hours laws to a class C felony. Effective 1/1/2050. (SD1)</p>	<p>LCA, JDC</p>
<p><u>HB 2317, HD2, SD1</u> (SSCR3679) Status & Testimony</p>	<p>RELATING TO SECURITIES. Protects elders and vulnerable adults from financial exploitation in relation to securities. (SD1)</p>	<p>CPH, JDC</p>
<p><u>HB 2340, HD2</u> (SSCR3452) Status & Testimony</p>	<p>RELATING TO DEAD BODIES. Clarifies prohibited actions related to anatomical gifts and disposition of bodies. Effective 7/1/2050. (HD2)</p>	<p>CPH, JDC</p>
<p><u>HB 2420, HD2, SD1</u> (SSCR3471) Status & Testimony</p>	<p>RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION. Clarifies the meaning of "program or activity receiving state financial assistance". Excludes cases within the scope of the Individuals with Disabilities Education Act from the jurisdiction of the Hawaii civil rights commission. Effective 12/31/2059. (SD1)</p>	<p>CPH, JDC</p>

<p><u>HB 2572, HD2, SD1</u> <u>(SSCR3689)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PRIVACY. Modernizes "personal information" for the purposes of security breach of personal information law. Prohibits the sale of contact tracing information without consent. Amends provisions relating to electronic eavesdropping law. Prohibits certain manipulated images of individuals. Effective 9/1/2020. Sunsets 9/1/2025. (SD1)</p>	<p>CPH/TEC, JDC</p>
<p><u>HB 2709, HD2</u> <u>(SSCR3556)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE UNIFORM PROBATE CODE. Requires a personal representative of a decedent appointed under the Uniform Probate Code to notify the police department of the appropriate county of any and all firearms in an estate. Requires the police department to certify that all registered firearms in an estate and other firearms of which the police department has been notified are properly transferred or disposed of before the estate may close. Effective 7/1/2050. (HD2)</p>	<p>PSM, JDC</p>
<p><u>HB 2750, HD2, SD1</u> <u>(SSCR3696)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MONETARY OBLIGATIONS. Prohibits the imposition of restrictions on a person's ability to obtain or renew a driver's license or to register, renew the registration of, or transfer or receive title to a motor vehicle, as a consequence of unpaid monetary obligations under certain circumstances. Allows certain individuals to petition the court for a driver's license or motor vehicle clearance. Effective September 1, 2020. (SD1)</p>	<p>TRS, JDC</p>

Decision Making to follow, if time permits.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing. Click [here](#) to submit written testimony.

The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written) or ASL interpreter), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

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.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-6733.

Senator Karl Rhoads
Chair