

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair
Senator J. Kalani English, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 16, 2021
TIME: 1:00 p.m.
PLACE: Via Videoconference

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

To comply with social distancing requirements, only written and videoconference testimony will be accepted. If you wish to testify via videoconference you must also submit written testimony.

A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

Click [here](#) for more information about Live and On-Demand Video options.

A G E N D A

SB 149

[Status &
Testimony](#)

RELATING TO PROPERTY FORFEITURE.

Restricts asset forfeiture to cases involving the commission of a covered criminal misdemeanor or felony offense. Requires seized property to be forfeited only when the property owner has been convicted of an underlying covered criminal misdemeanor or felony offense. Changes the standard of proof that the State must meet in order for property to be forfeited from "preponderance of the evidence" to "beyond a reasonable doubt". Requires the State to prove that owners consented to or possessed knowledge of the crime that led to the seizure of their property. Requires that the agency seizing the property pay for safe and secure storage of the seized property until the completion of the forfeiture proceeding or final disposition of the property. Directs any proceeds from a civil forfeiture to the general revenue fund for public education purposes. Repeals administrative forfeiture proceedings.

PSM, JDC

SB 513

[Status &
Testimony](#)

RELATING TO THE ENFORCEMENT OF LAWS.

Increases the fireworks display permit fee from \$110 to \$150 and the fine for certain fireworks violations from \$2,000 per violation to \$5,000 per violation. Clarifies that each aerial device, display firework, or article pyrotechnic having a total weight of 25 pounds or less that is illegally imported, transferred, or sold constitutes a separate violation. Increases the penalty for removing or extracting the pyrotechnic contents. Requires the Attorney General to establish an explosion detection technology working group. Requires the Department of Public Safety to develop and implement a web-based fireworks reporting tool. Authorizes the Sheriff Division to enforce the fireworks control law. Appropriates funds.

PSM, JDC/WAM

<p><u>SB 758</u></p> <p><u>Status & Testimony</u></p>	<p>RELATING TO MARIJUANA.</p> <p>Increases from 3 grams to 1 ounce: (1) the minimum amount of marijuana that a defendant must possess to be charged with a petty misdemeanor; and (2) the maximum amount of marijuana that a defendant convicted of possessing marijuana could have possessed without being disqualified from the subsequent expungement of the record of that conviction.</p>	<p>PSM, JDC</p>
<p><u>SB 767</u></p> <p><u>Status & Testimony</u></p>	<p>RELATING TO CANNABIS.</p> <p>Legalizes the personal use, possession, and sale of cannabis in a specified quantity. Requires licensing to operate cannabis establishments. Subjects cannabis establishments to excise taxes and income taxes.</p>	<p>PSM, JDC/WAM</p>
<p><u>SB 818</u></p> <p><u>Status & Testimony</u></p>	<p>RELATING TO VACANT AND ABANDONED RESIDENTIAL PROPERTY.</p> <p>Requires counties to establish expedited procedures to approve demolition permits for vacant and abandoned residential homes. Allows the department of taxation to seek sale of the property through nonjudicial foreclosure of vacant and abandoned residential properties with outstanding recorded state tax liens at any time after establishing vacancy and abandonment.</p>	<p>PSM, JDC/WAM</p>
<p><u>SB 1042</u></p> <p><u>Status & Testimony</u></p>	<p>RELATING TO COVERED OFFENDER REGISTRATION.</p> <p>Repeals provision that allows persons designated as covered offenders in another state or jurisdiction to petition the Attorney General for termination of registration requirements upon demonstrating that the out of state convictions are not covered offenses in the State of Hawaii; requires certain long term visitors to Hawaii with out-of-state convictions to register pursuant to section 846E-2(b); and clarifies how persons required to register pursuant to section 846E-2(b) can petition to terminate registration.</p>	<p>PSM, JDC</p>
<p><u>SB 1407</u></p> <p><u>Status & Testimony</u></p>	<p>RELATING TO THE STATE BUILDING CODE COUNCIL.</p> <p>Requires all members of the state building code council to have significant experience and knowledge of building codes and the cost impacts of building code revisions. Adds two voting council members, representing the National Association of Industrial and Office Properties and the construction trade unions, respectively. Requires the council and its subcommittee to conduct a cost-benefit analysis prior to recommending state code amendments. Requires council members and the drafters of recommended state code amendments to disclose potential conflicts of financial interests. Requires the council to consult with builders of residential, commercial, and industrial buildings. Requires the council to adopt the International Building Code every six years starting with the 2018 edition. Makes a conforming amendment.</p>	<p>PSM, 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 or request to testify via videoconference may do so up to 24 hours prior to the hearing.

Click [here](#) to submit **written testimony**.

If you wish to **testify via videoconference** during the hearing, please sign in to your account on the Legislature's website, then click on the "Testimony" icon on the home page. Detailed step-by-step instructions are available on the testimony submittal page. They are also posted on the Legislature's website [here](#).

Please note the following:

- The number of videoconference testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify remotely.
- Videoconference testifiers for this hearing will be limited to **1 minute** each.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov. You can also visit their website at <https://lrb.hawaii.gov/par/>.

For special assistance: 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), or are unable to submit testimony via the website due to a disability, please contact the committee at PSMcommittee@capitol.hawaii.gov at least 24 hours prior to the hearing.

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) 586-6970.

Senator Clarence K. Nishihara
Chair