

OFFICE OF THE SPEAKER
THIRTY-FIRST STATE LEGISLATURE

COMMITTEE REFERRALS

NO. 21
26TH LEGISLATIVE DAY - MARCH 9, 2021

Committee Abbreviations:

AGR - Agriculture	HET - Higher Education & Technology
CAI - Culture, Arts, & International Affairs	HHH - Health, Human Services, & Homelessness
CMV - Corrections, Military, & Veterans	HSG - Housing
CPC - Consumer Protection & Commerce	JHA - Judiciary & Hawaiian Affairs
ECD - Economic Development	LAT - Labor & Tourism
EDN - Education	LMG - Legislative Management
EEP - Energy & Environmental Protection	PDP - Pandemic & Disaster Preparedness
FIN - Finance	TRN - Transportation
GVR - Government Reform	WAL - Water & Land

		<u>Committee REFERRAL</u>
<u>SB83, SD1</u>	RELATING TO GOVERNMENT. Designates November 28 of each year as La Ku'oko'a, Hawaiian Recognition Day, not constituting a state holiday, to celebrate the historical recognition of independence of the kingdom of Hawaii. (SD1)	CAI, JHA, FIN
<u>SB134, SD1</u>	RELATING TO EMERGENCY POWERS. Prohibits the governor or the mayor from suspending requests for public records or vital statistics during a declared state of emergency. Effective 7/1/2050. (SD1)	PDP, JHA, FIN
<u>SB151</u>	RELATING TO THE STATEWIDE TRAFFIC CODE. Replaces the term "accident" with collision for purposes of certain provisions of the statewide traffic code.	JHA, CPC
<u>SB157</u>	RELATING TO LICENSING. Authorizes the issuance of a civil license to solemnize marriage and allows solemnization by any individual at least eighteen years of age.	JHA

**Committee
REFERRAL**

SB186	<p>RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES.</p> <p>Disallows the enforcement of a re-recorded homeowners' association restriction if the restriction prohibits bona fide agricultural uses and activities on agricultural land.</p>	WAL, AGR, CPC
SB193, SD1	<p>RELATING TO EQUITABLE GENDER REPRESENTATION ON CORPORATE BOARDS.</p> <p>Requires publicly held domestic corporations to have a gender-diverse board of directors. Establishes reporting requirements for the Department of Commerce and Consumer Affairs and penalties. (SD1)</p>	ECD, CPC, FIN
SB211, SD1	<p>RELATING TO HAWAIIAN AS AN OFFICIAL LANGUAGE OF THE STATE OF HAWAII.</p> <p>Requires that the Hawaiian version of a law be held binding if the law in question was originally drafted in Hawaiian and then translated into English. (SD1)</p>	JHA, FIN
SB280	<p>RELATING TO FAIR HOUSING REASONABLE ACCOMMODATIONS.</p> <p>Codifies the administrative rule definition of "assistance animal". Clarifies the type of verification an individual may provide to substantiate a reasonable accommodation request for a specific assistance animal. Specifies that possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute valid verification of a disability-related need for an assistance animal.</p>	HHH, JHA
SB324, SD1	<p>RELATING TO THE PRACTICE OF MEDICINE.</p> <p>Clarifies the definition of the practice of medicine to provide uniformity of practice for both medical physicians and osteopathic physicians. (SD1)</p>	HHH, CPC, FIN
SB329, SD1	<p>RELATING TO CONDOMINIUMS.</p> <p>Shortens the notice period from sixty days to thirty days for a board to sell, store, donate, or dispose of personalty when the identity and address of the owner are known. Removes the publication requirement and permits the board of directors of a condominium association to proceed directly to the sale, storage, donation, or disposal of personalty that has been abandoned in or on the common elements of a condominium when the identity or address of the owner is unknown. (SD1)</p>	CPC

**Committee
REFERRAL**

SB340	RELATING TO AGRICULTURAL LANDS. Amends certain land subdivision and condominium property regime laws related to agricultural land, as recommended pursuant to Act 278, Session Laws of Hawaii 2019, to ensure condominium property regime projects within the agricultural district are used for agricultural purposes.	WAL, AGR, JHA
SB347, SD1	RELATING TO LITTER CONTROL. Prohibits the intentional release of balloons inflated with a gas that is lighter than air. (SD1)	EEP, JHA
SB348, SD1	RELATING TO BOTTLED WATER. Repeals the requirement that noncarbonated bottled water be transported, stored, processed, or bottled through lines or equipment through which only water is passed. Updates the requirement that all bottled water shall meet standards prescribed by the United States Food and Drug Administration rules regarding product quality standards for bottled water. (SD1)	EEP, CPC, FIN
SB376	RELATING TO NOISE. Prohibits use, sale, alteration, or installation of motor vehicle mufflers that emit more than 95 decibels of sound.	TRN, JHA
SB382	RELATING TO PAYMENTS OF SUPPORT. Includes tips or gratuities paid directly to an individual by a customer of the employer and reported or declared to the employer under the definition of income withheld by employers for payments of child or spousal support.	LAT, JHA, FIN
SB387, SD1	RELATING TO THE ROOM CONFINEMENT OF CHILDREN AT DETENTION AND SHELTER FACILITIES. Establishes conditions and time limits for placing a child in room confinement at a detention or shelter facility. Effective 5/1/2029. (SD1)	HHH, JHA, FIN
SB404	RELATING TO ELECTIONEERING COMMUNICATIONS. Increases the monetary threshold that requires disclosure of electioneering communications. Requires that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed. Classifies election advertisements sent by mail at any postal rate, and election advertisements that are expenditures of an organization, as electioneering communications.	GVR, JHA

		<u>Committee REFERRAL</u>
<u>SB412</u>	RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT. Excludes habitually operating a vehicle under the influence of an intoxicant from qualifying for deferred acceptance of guilty plea or nolo contendere plea.	JHA, FIN
<u>SB428, SD1</u>	RELATING TO FELONIES. Specifies that interference with an automated public transit operation is unlawful and is a class C felony. (SD1)	JHA
<u>SB474, SD1</u>	RELATING TO REAL PROPERTY TRANSACTIONS. Requires that mandatory seller disclosures in real estate transactions include identification of residential real properties lying within the sea level rise exposure area. Effective 5/1/2022. (SD1)	WAL, CPC
<u>SB489</u>	RELATING TO AGRICULTURAL BUILDINGS. Increases the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.	AGR, CPC
<u>SB510, SD1</u>	RELATING TO HISTORIC PRESERVATION REVIEWS. Authorizes the Department of Land and Natural Resources, in consultation with the Office of Hawaiian Affairs, to delegate to the impacted counties the responsibility for certain historic preservation project reviews, provided that certain requirements are met. Allows the Department of Land and Natural Resources to establish a program to certify third-party individuals and organizations to review documents for completeness and compliance prior to submission of those documents to the Department; provided that certain requirements are met. (SD1)	WAL, JHA, FIN
<u>SB537</u>	RELATING TO AMERICAN SIGN LANGUAGE. Recognizes American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.	CAI, JHA, CPC
<u>SB538</u>	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.	LAT, JHA, FIN

**Committee
REFERRAL**

<u>SB562, SD1</u>	RELATING TO DECEPTIVE TRADE PRACTICES. Establishes that charging shipping and delivery charges that exceed the actual cost to ship or deliver a commodity to a consumer in Hawaii shall constitute an unfair and deceptive practice. (SD1)	ECD, CPC, FIN
<u>SB565, SD1</u>	RELATING TO ALCOHOL. Expands the definition of "beer" to specify an alcohol by volume of no less than 0.5 per cent and to include alcoholic seltzer beverages. Effective January 1, 2022. (SD1)	ECD, CPC
<u>SB596, SD1</u>	RELATING TO THE HAWAII TOURISM AUTHORITY. Prohibits holdover board members of the Hawaii Tourism Authority from holding office beyond the commencement of the next legislative session following the expiration of the member's term of office. (SD1)	LAT, JHA, FIN
<u>SB599, SD1</u>	RELATING TO MASSAGE THERAPISTS. Beginning July 1, 2024, requires massage therapy licensees to complete twelve hours of continuing education within the two-year period preceding the renewal date, two hours of which shall include first aid, cardiopulmonary resuscitation, or emergency related courses. (SD1)	CPC, FIN
<u>SB601, SD1</u>	RELATING TO ROOFING CONTRACTORS. Prohibits roofing contractors from offering to pay, in any monetary form, an insured's insurance deductible as an incentive to encourage the insured to hire the contractor. Allows insureds to rescind contracts with roofing contractors within five business days of receiving notification from an insurer that all or any part of a claim or contract is not a covered loss under the insured's insurance policy. (SD1)	CPC, FIN
<u>SB611, SD1</u>	RELATING TO BEHAVIOR ANALYSTS. Makes permanent the regulation of behavior analysts. Effective 6/29/2021.	HHH, CPC, FIN
<u>SB615, SD1</u>	RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS. Requires all moped and motor scooter rental companies to ensure the rider wears a safety helmet supplied either by the rental company or by the renter prior to operating the moped or motor scooter. Exempts riders with a motorcycle license from this requirement. Prohibits the rental of any moped or motor scooter with aftermarket modifications. Amends the definition of motor scooter. (SD1)	CPC, JHA

**Committee
REFERRAL**

[SB635](#)

RELATING TO ELECTIONS.

Allows the elections commission to refer a complaint to the attorney general or county prosecutor in addition to any administrative determination and without the requirement that the commission believes the respondent has recklessly, knowingly, or intentionally committed a violation. Disqualifies a person convicted of violating elections criminal prosecution laws from holding elective public office for ten years rather than four. Repeals language stipulating that elections criminal prosecution law does not apply to any persons who has paid or agrees to pay fines related to report filing violations and advertisement violations prior to the commencement of the proceedings.

JHA, FIN

[SB696, SD1](#)

RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Extends the date on which the temporary commission on the thirteenth festival of pacific arts shall cease to exist to August 31, 2025. Permits less than a quorum of commission members to discuss matters relating to official board business outside a commission meeting as a permitted interaction under part I of chapter 92, Hawaii Revised Statutes, to enable them to perform their duties faithfully, provided that the commission holds a meeting at least once a month and discusses the progress of the permitted interaction matter at the next meeting. (SD1)

CAI, JHA, CPC,
FIN

[SB703](#)

RELATING TO SUICIDE PREVENTION TRAINING.

Requires two hours of annual in-service training in suicide prevention for all teachers, principals, and school counselors.

HHH, EDN, CPC,
FIN

[SB726](#)

RELATING TO POLICING.

Prohibits the issuance of warrants that permit entry by an officer to a house, store, or other building without first audibly declaring the officer's office and business, including no-knock warrants. Requires law enforcement officers serving an arrest warrant at a house or a search warrant at a house, store, or other building to audibly declare the officer's office and business and wait at least thirty seconds for compliance before entry. Requires officers serving a warrant to do so in uniform.

JHA, CPC

[SB764, SD1](#)

RELATING TO HUMAN TRAFFICKING.

Adds a permanent commercial driver's license disqualification for a commercial driver's license or commercial learner's permit holder who is convicted of a felony involving a severe form of trafficking in persons, without the possibility of reinstatement. (SD1)

CPC, JHA

**Committee
REFERRAL**

SB766	RELATING TO MOTOR CARRIER PENALTIES. Allows a penalty of up to \$5,000 for the fourth or subsequent violations of the motor carrier law within one calendar year.	CPC, FIN
SB811	RELATING TO THE DEPARTMENT OF EDUCATION. Requires the department of education to publish a weekly report on schools that have reported COVID-19 cases.	PDP, EDN, JHA, FIN
SB814, SD1	RELATING TO CHARTER SCHOOLS. Clarifies the process for applicants to apply to open and operate a charter school. Provides for penalties for authorizers who fail to timely comply with board decisions. (SD1)	EDN, FIN
SB828	RELATING TO DIVORCE. Grants exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed. Repeals the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before completing a divorce.	JHA, FIN
SB838, SD1	RELATING TO SERVICES FOR KUPUNA. Allows the executive office of aging to relax the thirty-hour employment requirement for qualified caregivers under the Kupuna Caregivers Program during a state-declared state of emergency. Adds the option of kupuna caregiver-directed services to the kupuna caregivers program. Includes assisting the care recipient and caregiver with the enrollment process as the duty of a coach. Allows funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider. Takes effect 5/1/2029. (SD1)	HHH, CPC, FIN
SB912, SD1	RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM. Authorizes a court to order the forfeiture of one-half of the Employees' Retirement System (ERS) benefits of an ERS member, former member, or retirant upon conviction of the individual for a felony related to the State or county employment of the individual. Authorizes designated beneficiaries to receive the ERS benefits to which the member, former member or retirant would be entitled under this section upon the death of the member, former member, or retirant. Prohibits designated beneficiaries convicted of a felony under the same set of circumstances as the member, former member, or retirant who was subject to forfeiture of ERS benefits from receiving benefits. Effective 7/1/2050. (SD1)	LAT, JHA, FIN

**Committee
REFERRAL**

SB934	RELATING TO MEASUREMENT STANDARDS. Exempts hydrogen fuels from petroleum product measurement requirements.	EEP, CPC, FIN
SB939	RELATING TO JUNETEENTH DAY. Establishes June 19 of each year as Juneteenth Day.	CAI, JHA, FIN
SB973, SD1	RELATING TO HAWAII MONEY TRANSMITTER ACT. Amends the Money Transmitters Act. Changes the chapter and short title to Monetary Transmitters Modernization Act. Incorporates definitions of key terms provided in the Model Money Services Business Law published by the Conference of State Bank Supervisors. Adds supporting documentation to be submitted by a license applicant. Extends the period of a license applicant's litigation and criminal conviction history review from five-years to ten-years from the date of the application. Requires a license applicant to submit information concerning any bankruptcy or receivership proceedings. Clarifies the authority of the commissioner of financial institutions relating to examinations and investigations of licensees and participation in nationwide protocols for licensing cooperation. (SD1)	ECD, CPC, FIN
SB975, SD1	RELATING TO PHARMACY AUDITS. Establishes procedures for audits of pharmacies conducted by a health care provider, insurance company, third-party payor, sickness insurance provider, mutual benefit society, dental service corporation, health maintenance organization, or any entity that represents such companies or groups. Effective 7/1/2050. (SD1)	HHH, CPC, FIN
SB1004	RELATING TO EDUCATION. Beginning with the 2021-2022 school year, requires the department of education to include the teaching of financial literacy in the personal/transition plan requirement for each student.	EDN, CPC, FIN
SB1042, SD1	RELATING TO COVERED OFFENDER REGISTRATION. 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. Clarifies how persons required to register can petition to terminate registration. (SD1)	JHA, CPC

		<u>Committee REFERRAL</u>
<u>SB1102</u>	RELATING TO MIXED MARTIAL ARTS. Allows mixed martial arts promoters to pay fighters with cash.	CPC, FIN
<u>SB1103</u>	RELATING TO THE PEER REVIEW OVERSIGHT COMMITTEE. Clarifies the role of the Board of Public Accountancy in selecting members to serve on the Board's Peer Review Oversight Committee.	CPC, FIN
<u>SB1150, SD1</u>	RELATING TO SKILLED NURSING FACILITY LICENSING. Authorizes the Department of Health to recognize national accreditation or certification organizations. (SD1)	HHH, CPC
<u>SB1191, SD1</u>	RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Updates chapter 329, Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system. (SD1)	HHH, CPC
<u>SB1192, SD1</u>	RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Amends section 329-101(b) and (d), Hawaii Revised Statutes, to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System. (SD1)	HHH, CPC
<u>SB1220, SD1</u>	RELATING TO CRIMINAL HISTORY RECORD CHECKS. Adds the University of Hawaii to the list of agencies that are authorized to conduct criminal history record checks on current or prospective employees, whose positions or duties are related to the security of campus facilities and persons. (SD1)	LAT, JHA, FIN

**Committee
REFERRAL**

<u>SB1225, SD1</u>	<p>RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE.</p> <p>Allows the chairperson of the Independent Audit Committee (IAC) of the University of Hawaii Board of Regents to be selected in a manner consistent with its bylaws. Clarifies that the responsibility of the IAC as to the University's enterprise risk management is to oversee, rather than engage in the pertinent operations. Exempts from chapter 91 and part I of chapter 92, Hawaii Revised Statutes, discussions between the IAC and internal or external auditors on matters that should remain confidential in accordance with nationally recognized best practices for independent audit committees. Allows the IAC chairperson to determine whether IAC discussions that are exempt from chapter 91 and part I of chapter 92, Hawaii Revised Statutes, may be held without the presence of the President or the Chief Financial Officer of the University. (SD1)</p>	HET, JHA
<u>SB1258, SD1</u>	<p>RELATING TO TELEHEALTH.</p> <p>Allows for standard telephone contacts for telehealth purposes. Effective 7/1/50. (SD1)</p>	HHH, CPC, FIN
<u>SB1287</u>	<p>RELATING TO THE FOOD SERVICES BRANCH.</p> <p>Requires the department of education food services branch to coordinate with the principals and vice principals of department schools to determine which school meal program offered by the USDA is the best fit for the student body and campus of each school.</p>	AGR, EDN, FIN
<u>SB1291, SD1</u>	<p>RELATING TO TRANSPORTATION.</p> <p>Includes autocycles equipped with handlebars in the definition of motorcycle in the Hawaii Safety Act. Exempts motorcycles and motor scooters with a roll bar, roll cage, or fully enclosed cabs from the safety helmet requirement. (SD1)</p>	TRN, CPC
<u>SB1384</u>	<p>RELATING TO EDUCATION.</p> <p>Provides that the prohibition against serving two consecutive terms not to exceed eight consecutive years pursuant to section 26-34(a), Hawaii Revised Statutes, shall not apply to the representative of Hawaiian medium early learning providers' term limit. Repeals on June 30, 2025.</p>	EDN, FIN