

THE SENATE  
THE THIRTY-FIRST LEGISLATURE  
REGULAR SESSION OF 2022

COMMITTEE ON JUDICIARY  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, March 1, 2022  
TIME: 9:30 a.m.  
PLACE: Via Videoconference  
TIMESLOT: JDC

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

This policy is subject to change and may be adjusted based on evolving COVID-19 guidelines.  
Please check the Legislature's website for updates [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov).

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

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A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

<a href="#"><u>SB 2623, SD1</u></a> <a href="#"><u>(SSCR2163)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO THE HAWAIIAN HOMES COMMISSION ACT. Excludes from any waiting list maintained by the Department of Hawaiian Home Lands any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands. (SD1)	HWN, JDC
<a href="#"><u>SB 2679, SD1</u></a> <a href="#"><u>(SSCR2679)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO DRIVER'S LICENSES. Extends the renewal period from two years to four years for licensees who are seventy-two years of age or older. Effective 1/1/2050. (SD1)	TRS/GVO, JDC
<a href="#"><u>SB 2685, SD1</u></a> <a href="#"><u>(SSCR2268)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Establishes requirements for cumulative voting and the removal of directors of planned community associations. Exempts planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act. (SD1)	CPN, JDC

<p><b><u>SB 2707</u></b>  <u>(SSCR2525)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO COLLECTIVE BARGAINING.  Requires the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of its receipt of the exclusive representative's written request to negotiate. Establishes that the employer's failure to initiate the negotiation within such time frame and the parties' failure to reach an agreement within ninety day of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitute an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.</p>	<p>LCA, JDC</p>
<p><b><u>SB 3373, SD1</u></b>  <u>(SSCR2283)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO PUBLIC PROCUREMENT.  Clarifies the deadline for submitting written protests that are based on the content of a solicitation. (SD1)</p>	<p>GVO, JDC</p>
<p><b><u>SB 2711, SD1</u></b>  <u>(SSCR2373)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO EDUCATION.  Specifies additional exceptions under child labor laws to include certain work-based learning programs. Defines youth vocational training program or internship. Allows employment in youth vocational training programs or internships under chapter 390, Hawaii Revised Statutes. Effective 7/1/2050. (SD1)</p>	<p>EDU/LCA, JDC</p>
<p><b><u>SB 2777, SD1</u></b>  <u>(SSCR2170)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO SEARCHES OF FEMALE INMATES.  Requires pat downs and searches of female inmates be conducted by a female correctional facility employee unless the prisoner presents a risk of immediate harm to herself or others or risk of escape. Prohibits male correctional facility employees from entering areas where female inmates may be in a state of undress including, but not limited to, restrooms, shower areas, or medical treatment areas, unless an inmate in the area presents a risk of immediate harm to herself or others or if there is a medical emergency in the area. Requires any prohibited search, pat down, or entry by a male correctional facility employee be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes. Requires the Department of Public Safety to increase its recruitment and training of female adult corrections officers to satisfy the requirements of female gender specific posts. Requires the Department of Public Safety to make every effort within the law to address the concerns of the advocates, the requirements of the Prison Rape Elimination Act, and staffing shortages of female gender specific posts, as well as the hiring and training of female adult corrections officers. Requires a report to the legislature. Effective July 1, 2050. (SD1)</p>	<p>PSM, JDC</p>

<p><b><u>SB 2780</u></b>  <u>(SSCR2171)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO THE POWER OF ARREST.  Updates the list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting United States Citizenship and Immigration Services from the list. Updates references to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.</p>	<p>PSM, JDC</p>
<p><b><u>SB 2804, SD1</u></b>  <u>(SSCR2250)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO POOLS.  For purposes of the Department of Health's authority to adopt rules concerning public health and safety, defines "pool" to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water either naturally or mechanically used for swimming, diving, recreational bathing, or therapy by humans. (SD1)</p>	<p>HTH, JDC</p>
<p><b><u>SB 2835, SD1</u></b>  <u>(SSCR2312)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO INSURANCE.  Prohibits health insurance companies from denying coverage on the basis of gender identity if the policy covers the treatment for purposes other than gender transition. Requires insurance companies to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity. (SD1)</p>	<p>CPN, JDC</p>
<p><b><u>SB 2877</u></b>  <u>(SSCR2270)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.  Allows a landlord or landlord's agent to charge an application screening fee at the time a rental application is processed for residential property. Caps the amount of an application screening fee at \$25 and prohibits fees to be charged for each member of a household. Requires the landlord or landlord's agent to provide a receipt for payment of the application screening fee and copy of any report obtained, if requested by the applicant, and within ten days of the applicant's request. Requires the landlord or landlord's agent to return any unauthorized fee amounts to the applicant.</p>	<p>CPN, JDC</p>
<p><b><u>SB 2913, SD1</u></b>  <u>(SSCR2495)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO ACCESSIBILITY.  Requires a retail establishment with an employee toilet facility to allow a customer suffering from an eligible medical condition to use that restroom during normal business hours, under certain conditions. Exempts a retail establishment and employees from civil liability in allowing an eligible customer to use an employee toilet facility. Establishes fines. Effective 1/1/2050. (SD1)</p>	<p>HTH, JDC</p>
<p><b><u>SB 2944, SD1</u></b>  <u>(SSCR2625)</u>  <u>Status &amp; Testimony</u></p>	<p>RELATING TO AGRICULTURAL LANDS.  Prohibits the use of important agricultural lands and lands with class A or B productivity ratings for waste disposal. (SD1)</p>	<p>AEN, JDC</p>

**SB 2974, SD1**

(SSCR2600)

Status &  
Testimony

RELATING TO PESTICIDES.

Updates the membership of the Advisory Committee on Pesticides to replace representatives from the sugar and pineapple industries with representatives of the coffee and diversified agriculture industries. Adds a representative of the Hawaii Farmers Union United to the Advisory Committee on Pesticides. (SD1)

AEN, JDC

**SB 3023, SD1**

(SSCR2399)

Status &  
Testimony

RELATING TO REAL ESTATE BROKERS.

Allows the Real Estate Commission to revoke or suspend a license, or fine a licensee, for advertising, promoting, representing, receiving any remuneration for, or offering for rent any transient vacation units and whole-home short-term rentals unless the unit or rental is permitted by the relevant county. Effective 12/31/2050. (SD1)

CPN/EET, JDC

**Decision making meeting only, no oral testimony will be accepted.**

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

**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.**

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) 587-7211.

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Senator Karl Rhoads  
Chair