

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

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Rep. Matthew S. LoPresti	Rep. Chris Todd
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Rep. Angus L.K. McKelvey	Rep. Gene Ward

AMENDED NOTICE OF HEARING

DATE: Tuesday, February 8, 2022
TIME: 2:00 p.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 325
State Capitol
415 South Beretania Street

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

Please note that the committee members will participate remotely via videoconference.
Click [here](#) to submit testimony and to testify remotely.

A live stream link of all House Standing Committee meetings will be available online
shortly before the scheduled start time.

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A M E N D E D A G E N D A

The following measure(s) has been **DELETED** from the agenda: **HB1732**

[HB 1208, HD1](#)
[\(HSCR207\)](#)
[Status](#)

PROPOSING AN AMENDMENT TO ARTICLE VIII, SECTION 3 OF THE HAWAII CONSTITUTION RELATING TO THE FUNCTIONS, POWERS, AND DUTIES OF REAL PROPERTY TAXATION. ECD, JHA, FIN

Proposes an amendment to the Hawaii State Constitution to repeal the exclusive power of the counties as to the functions, powers, and duties relating to the taxation of real property and authorize the State to also exercise those functions, powers, and duties. Effective 7/1/2050.
(HD1)



HB 1209, HD1 (HSCR208) Status	<p>RELATING TO TAXATION.</p> <p>By 1/1/2026, requires the department of taxation to suspend and refund certain income tax amounts received or withheld upon the enactment of a state law specifying real property tax amounts. Takes effect upon the ratification of a constitutional amendment authorizing the State to have additional real property taxing authority. Effective 7/1/2050. (HD1)</p>	<p>ECD, JHA, FIN</p>
HB 892 Status	<p>RELATING TO LAW ENFORCEMENT.</p> <p>Clarifies membership and certain powers and duties of the Law Enforcement Standards Board, establishes new deadlines for the completion of board responsibilities, and provides appropriate funds and resources to enable the board to accomplish its mission.</p>	<p>JHA, FIN</p>
HB 893 Status	<p>RELATING TO LAW ENFORCEMENT VEHICLES.</p> <p>Allows the Department of the Attorney General to have law enforcement vehicles, with colored lights, that are recognized authorized emergency vehicles.</p>	<p>JHA, FIN</p>
HB 2075 Status	<p>RELATING TO FIREARMS.</p> <p>Amends section 134-2, Hawaii Revised Statutes, to increase the time a permit to acquire a firearm can be used from 10 days to 30 days. Amends section 134-3, Hawaii Revised Statutes, to eliminate physical inspection of firearms generally, but requires physical inspection of firearms brought into the State, firearms involved in private sales or transfers, and firearms and firearm receivers with engraved or embedded serial numbers.</p>	<p>JHA</p>
HB 1732 Status	<p>RELATING TO ELECTRIC GUNS.</p> <p>Prohibits individuals from carrying an electric gun in or near certain sensitive locations with exceptions.</p>	<p>JHA</p>
HB 1867 Status	<p>RELATING TO HOMICIDE.</p> <p>Changes the name of the offense of negligent homicide to vehicular homicide. Recategorizes the penalty categories for each of the 3 degrees of the offense to the next highest level of severity. Establishes that a person who has been convicted of vehicular homicide in the first degree shall be sentenced without the possibility of suspension of sentence or probation. Prohibits any prosecutor from dismissing a charge of vehicular homicide in the first degree in exchange for a defendant's agreement to a change of plea on a lesser charge, or for any other reason, unless the charge is not supported by probable cause or cannot be proven at trial. For any prosecution of vehicular homicide in the first degree that alleges that the defendant operated the vehicle while having a concentration of alcohol of .08% or more in the defendant's blood or breath, establishes as an affirmative defense that the concentration was the result of the defendant's consumption of alcohol after the defendant stopped operation of the vehicle.</p>	<p>JHA</p>



<u>HB 1866</u> <u>Status</u>	RELATING TO INTOXICATION. Amends the procedures under which a blood test, urine test, or breath test is administered in the event of certain vehicular collisions. Prohibits state courts from vacating any conviction for a crime that was committed before 12/5/2016, if the only basis for doing so would be a warrantless blood test for an intoxicant, unless otherwise required by constitutional law.	JHA
<u>HB 2337</u> <u>Status</u>	RELATING TO HIGHWAY SAFETY. Clarifies the definitions of "drug", "substance", and "substance abuse" in chapter 291E, Hawaii Revised Statutes, regarding the use of intoxicants while operating a vehicle.	JHA
<u>HB 1878</u> <u>Status</u>	RELATING TO THE JUDICIARY. Amends the period in which the supreme court is in session to annual terms commencing on the first Monday in January of each year. Effective 1/1/2024.	JHA
<u>HB 2049</u> <u>Status</u>	RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES OR THE SESSION LAWS OF HAWAII FOR THE PURPOSES OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, OR DELETING OBSOLETE OR UNNECESSARY PROVISIONS. Amends or repeals various provisions of the Hawaii Revised Statutes or the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, or deleting obsolete or unnecessary provisions.	JHA
<u>HB 2074</u> <u>Status</u>	RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE. Clarifies that defendants may not earn credit on a sentence imposed for a subsequent conviction for time being served on a previous felony conviction.	JHA
<u>HB 2422</u> <u>Status</u>	RELATING TO SENTENCING. Clarifies that, notwithstanding chapter 706, HRS, or any other law to the contrary, sentences for domestic violence intervention for abuse-related offenses shall be imposed, with or without probation.	JHA
<u>HB 2197</u> <u>Status</u>	RELATING TO GAMBLING. Amends the offense of promoting gambling in the second degree to a class C felony without the possibility of probation or suspension of sentence. Amends the offense of promoting gambling in the first degree to a class B felony without the possibility of probation or suspension of sentence. Amends the requisite state of mind to criminal negligence for both offenses.	JHA
<u>HB 1179</u> <u>Status</u>	RELATING TO INVASIVE SPECIES. Establishes a pilot program within the Aina Mauna legacy program of the department of Hawaiian home lands to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for native Hawaiians. Requires reports to the legislature. Appropriates funds. Sunsets 6/30/2025.	JHA, FIN



HB 2028 Status	RELATING TO RAW MILK. Authorizes and decriminalizes the sale of raw milk and raw milk products directly to consumers for human consumption, with certain restrictions. Requires the Board of Agriculture to adopt rules governing the direct sale of raw milk and raw milk products. Establishes labeling requirements.	JHA, CPC
HB 2146 Status	RELATING TO MARRIAGE LICENSES. Repeals fees related to obtaining a license to solemnize civil marriage ceremonies to conform to requirements of religious and judicial marriage performers.	JHA, FIN
HB 1903 Status	RELATING TO DATA ABOUT SNORKELS AND MASKS. Requires the first responder to record in the incident report for each water rescue event the type of snorkel and mask, if any, that were worn by the person who was rescued or recovered.	JHA, CPC
HB 1991 Status	RELATING TO CONSUMER PROTECTION. In counties with a population of five hundred thousand or more, prohibits the sale of a bicycle that is reported as stolen and is listed on a publicly available online stolen item database and requires the county police department to establish the publicly available online stolen item database. Updates the recordkeeping and retention requirements for businesses that buy previously owned articles.	JHA, CPC

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least **24 hours** prior to the hearing. Testimony received after this time will be stamped late and left to the discretion of the chair to consider. While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may not be processed.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

The chair may institute a per-testifier time limit.

Committees meeting in the morning must adjourn prior to the day's Floor Session. Therefore, due to time constraints, not all testifiers may be provided an opportunity to offer verbal comments. However, remote testifiers' written submissions will be considered by the committee.

Please refrain from profanity or uncivil behavior. Violations may result in ejection from the hearing without the ability to rejoin.

The House will not be responsible for bad connections on the testifier's end.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov.

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 clerk at least 24 hours prior to the hearing so that arrangements can be made.

Click [here](#) for a complete list of House Guidelines for public testimony.



FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are bolded.

For more information, please contact the Committee Clerk at 586-6680.

Rep. Mark M. Nakashima
Chair

