

THE SENATE
KA 'AHA KENEKOA

THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2023

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

NOTICE OF DECISION MAKING

DATE: Wednesday, March 1, 2023
TIME: 9:30 AM
PLACE: Conference Room 016 & Videoconference
State Capitol
415 South Beretania Street
TIMESLOT: JDC

**PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL
BUILDING HOURS: 7AM TO 5PM, MONDAY - FRIDAY**

Face masks are recommended while visiting the State Capitol and may be required in some offices.
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These policies are subject to change and may be adjusted based on evolving COVID-19 guidelines.
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A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

A G E N D A

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

SB 406, SD1 (SSCR317) Status & Testimony	RELATING TO CHILD VISITATION. Allows the court to award reasonable visitation rights to a petitioning grandparent of a minor child when the child's parent is unable to exercise parental visitation due to death or incarceration and denial of reasonable grandparent visitation rights would cause significant harm to the child. Sets forth procedures, considerations, and standards for the court to grant grandparent visitation rights. Specifies that any person who violates the terms and conditions of a court order granting reasonable grandparent visitation rights may be held in contempt of court. Effective 7/1/2050. (SD1)	HHS, JDC
SB 551, SD2 (SSCR627) Status & Testimony	RELATING TO HOUSING. Clarifies that certain housing projects developed by the Hawaii Housing Finance and Development Corporation on lands that are not within a Special Flood Hazard Area as identified on the current Federal Emergency Management Agency's Flood Insurance Rate Maps shall be exempt from all statutes, ordinances, charter provisions, and rules relating to planning, zoning, and other certain standards, provided that certain conditions are met. (SD2)	HOU, JDC

<p>SB 922 (SSCR126) Status & Testimony</p>	<p>RELATING TO LAW ENFORCEMENT REFORM. Requires a law enforcement officer who observes criminal misconduct by another law enforcement officer to report the criminal misconduct. Requires passage of a psychological screening test battery to qualify for appointment as a law enforcement officer. Subjects a law enforcement officer to denial, suspension, or revocation of a law enforcement officer's certification for failure to report observed criminal misconduct or committing an act of criminal misconduct. Prohibits the use of a chokehold by a law enforcement officer unless the use of deadly force is justifiable. Defines chokehold.</p>	<p>PSM, JDC</p>
<p>SB 966 (SSCR250) Status & Testimony</p>	<p>RELATING TO DISPOSAL OF SOLID WASTE. Allows as punishment for felony disposal of solid waste, imprisonment of not more than five years. Allows as punishment for felony disposal of solid waste and petty misdemeanor disposal of solid waste, forfeiture of any vehicle used in the commission of the offenses.</p>	<p>AEN, JDC</p>
<p>SB 969, SD1 (SSCR433) Status & Testimony</p>	<p>RELATING TO NOISE POLLUTION. Establishes that noise generated by helicopters in excess of a certain decibel level constitutes a public nuisance and a source of noise pollution in violation of the State's noise pollution law. Establishes fines and a private right of action for individuals to sue helicopter owners and operators for committing a public nuisance. Establishes exceptions. Effective 7/1/2050. (SD1)</p>	<p>TCA, JDC</p>
<p>SB 989 (SSCR242) Status & Testimony</p>	<p>RELATING TO UNMANNED AIRCRAFT SYSTEMS. Prohibits trespass with an unmanned aircraft system, with exceptions. Establishes a penalty.</p>	<p>TCA, JDC</p>
<p>SB 1056 (SSCR241) Status & Testimony</p>	<p>RELATING TO SPEED LIMITS. Clarifies that the engineering study required prior to the setting of a maximum speed limit shall not apply to reductions of maximum speed limits.</p>	<p>TCA, JDC</p>
<p>SB 1086, SD1 (SSCR137) Status & Testimony</p>	<p>RELATING TO TRANSPORTATION. Amends the composition and duties of the State Highway Safety Council. (SD1)</p>	<p>TCA, JDC</p>
<p>SB 1112 (SSCR128) Status & Testimony</p>	<p>RELATING TO SHORT-TERM RENTALS. Prohibits bans on dwelling unit rentals having a term between one and five months for inter-island relocations and temporary workers. Authorizes county councils to adopt any ordinances necessary to implement the prohibition by 6/30/2024.</p>	<p>PSM, JDC</p>
<p>SB 1122 (SSCR498) Status & Testimony</p>	<p>RELATING TO THE ADVICE AND CONSENT OF THE SENATE. Requires nominees for the position of Deputy Director, First Deputy, or Deputy Chair, as the case may be, of principal departments to be subject to advice and consent of the Senate.</p>	<p>GVO, JDC</p>

<p><u>SB 1130, SD1</u> <u>(SSCR618)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO ACTIVITY DESKS. Makes a principal of an activity desk, and all persons with an ownership interest in the activity desk, jointly and severally liable for any financial deficiency when the activity desk's client trust account is insufficient to pay consumers or activity providers. Clarifies that an activity desk, along with its principal and all persons with an ownership interest in the activity desk, shall be held liable for statutory violations and subsequent damages. Effective 7/1/2050. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 1131, SD1</u> <u>(SSCR581)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO TIME SHARE PLANS. Amends the definitions of "time share interest" and "time share plan" to include any fractional ownership plan for a joint homeownership limited liability company, or any other entity. Effective 7/1/2050. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 1138</u> <u>(SSCR323)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO PROCUREMENT. Prohibits a procurement officer from disclosing a competing offeror's proposal or evaluation score during a debriefing requested by a non-selected offeror. Authorizes the disclosure of a competing offeror's proposal or evaluation score after a protest is resolved and the contract is executed.</p>	<p>GVO, JDC</p>
<p><u>SB 1173</u> <u>(SSCR243)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO VEHICLES. Prohibits a person from causing a diesel or gas-powered vehicle to discharge clearly visible smoke, soot, or other exhaust emissions onto another person or motor vehicle. Establishes penalties.</p>	<p>TCA, JDC</p>
<p><u>SB 1196, SD1</u> <u>(SSCR329)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO BOARDS AND COMMISSIONS. Clarifies that board and commission holdover members shall not hold office beyond the end of the second regular legislative session following the expiration of the member's term of office regardless of any conflicting statutes. Effective 7/1/2112. (SD1)</p>	<p>GVO, JDC</p>

[SB 1230, SD1](#)
[\(SSCR257\)](#)
[Status & Testimony](#)

RELATING TO FIREARMS.
Prohibits issuing authorities from issuing permits to acquire the ownership of a firearm to any person where the issuance would not be in the interest of the public health, safety, or welfare because the person is found to be lacking the essential character or temperament necessary to be entrusted with a firearm. Requires issuing authorities to consider the risks associated with firearms in the home and consider the likelihood an applicant would bring the firearm outside of the home to engage in violence or carry unlawfully in public. Increases requirements for applicants seeking a license to carry a firearm. Sets minimum requirements for applications for a license to carry a concealed firearm. Establishes the crime of carrying a firearm in certain locations. Defines sensitive location. Requires licenses to carry concealed firearms be revoked if certain conditions are met. Requires the Attorney General to publish an annual report on licenses to carry firearms. Requires firearms be kept in a locked container and out of plain view when in an unattended vehicle. Defines locked container and makes conforming amendments. Amends the definition of "crime of violence" to include additional crimes. Requires a person carrying a firearm in public pursuant to a license to maintain insurance coverage. Establishes a duty to maintain possession of a license while carrying a firearm. Establishes a duty to disclose that a person is carrying a firearm when stopped by a law enforcement officer. Establishes an appeals process for the denial or revocation of an application for a permit to acquire the ownership of a firearm or to carry a concealed firearm. Allows county police departments to conduct criminal history record checks for licenses to carry a firearm. Establishes penalties for violations. Takes effect 1/1/2050. (SD1)

PSM, JDC

[SB 1268, SD1](#)
[\(SSCR253\)](#)
[Status & Testimony](#)

RELATING TO AGRICULTURAL LANDS.
Makes technical changes to the statutory definitions of "agricultural enterprise lands" and "non-agricultural park lands" for clarification and consistency purposes. (SD1)

AEN, JDC

[SB 1372, SD1](#)
[\(SSCR478\)](#)
[Status & Testimony](#)

RELATING TO THE EXECUTIVE OFFICE ON AGING.
Clarifies the definitions of "caregiver support services", "kupuna care services", and "respite care". (SD1)

HHS, JDC

[SB 1379, SD1](#)
[\(SSCR619\)](#)
[Status & Testimony](#)

RELATING TO PENALTIES FOR UNLICENSED CARE HOMES.
Clarifies the penalty to be assessed on any person who intentionally operates a care facility without a certificate or license. Effective 7/1/2050. (SD1)

CPN, JDC

[SB 1381, SD1](#)
[\(SSCR587\)](#)
[Status & Testimony](#)

RELATING TO THE REPEAL OF SECTION 328-106, HAWAII REVISED STATUTES.
Repeals section 328-106, Hawaii Revised Statutes. Effective 7/1/2050. (SD1)

CPN, JDC

<p><u>SB 1468, SD1</u> <u>(SSCR588)</u> <u>Status & Testimony</u></p>	<p>RELATING TO RIGHT OF ENTRY FOR PROFESSIONAL SURVEYORS. Authorizes professional land surveyors and any assistant under the direct supervision of the land surveyor, to enter any private property to perform land surveying, subject to certain provisions regarding notice, identification, and liability. Shields land surveyors and their assistants from prosecution under criminal trespass laws when performing their duties. Effective 7/1/2050. (SD1)</p>	<p>CPN, JDC</p>
<p><u>SB 1505, SD1</u> <u>(SSCR228)</u> <u>Status & Testimony</u></p>	<p>RELATING TO TRANSPORTATION. Prohibits the issuance of permits for the mooring of vessels engaged in certain activities. Authorizes the Department of Transportation to delay or deny approval for port entry or departure in instances when the Department of Transportation receives notice from a federal agency or other agency that a vessel or its crew has engaged in activity that has violated any federal, state, or county law or rule pertaining to environmental protection or maritime transportation. Authorizes the Department of Transportation to grant approvals for use of any commercial harbor facility by a vessel in coordination with a federal agency or other agency. (SD1)</p>	<p>TCA, JDC</p>
<p><u>SB 1513</u> <u>(SSCR497)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PUBLIC AGENCY MEETINGS. Requires a Public Agency Board to report any discussion or final action taken during an executive meeting; provided that such disclosure is not inconsistent with the purpose of convening the executive meeting, but giving the Board discretion to maintain confidentiality.</p>	<p>GVO, JDC</p>
<p><u>SB 1577, SD1</u> <u>(SSCR589)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS. Requires the Department of Commerce and Consumer Affairs to make all business registration applications available online. Requires all applications to contain certain contact information. Effective 7/1/2050. (SD1)</p>	<p>CPN, JDC</p>

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.

Senator Karl Rhoads
Chair