

HOUSE OF REPRESENTATIVES  
THE THIRTY-SECOND LEGISLATURE  
REGULAR SESSION OF 2023

COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Rep. David A. Tarnas, Chair  
Rep. Gregg Takayama, Vice Chair

Rep. Sonny Ganaden	Rep. Greggor Ilagan
Rep. Daniel Holt	Rep. Sam Satoru Kong
Rep. Troy N. Hashimoto	Rep. John M. Mizuno
Rep. Linda Ichiyama	Rep. Kanani Souza

NOTICE OF HEARING

DATE: Tuesday, February 28, 2023  
TIME: 2:00 PM  
PLACE: VIA VIDEOCONFERENCE  
Conference Room 325  
State Capitol  
415 South Beretania Street

Click [here](#) to submit testimony and to testify remotely or in person.

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

Click [here](#) for the live stream of this meeting via YouTube.

A G E N D A

[HB 777, HD1](#)  
[\(HSCR201\)](#)  
[Status](#)

RELATING TO BACKGROUND CHECKS.  
Authorizes the department of human services to conduct national criminal background checks for current and prospective employees; volunteers; contractors; and contractors' employees, agents, and volunteers, who are in positions that require close proximity to certain minors, young adults, or vulnerable adults. Effective 6/30/3000. (HD1)

HUS, JHA

[HB 823, HD1](#)  
[\(HSCR294\)](#)  
[Status](#)

RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM.  
Expands the scope of inmate deaths that are to reported to the governor and legislature. Requires reports to be published on the department of corrections and rehabilitation website. Requires reports on the cause of death and mandates public access to certain information within those reports. Effective 6/30/3000. (HD1)

CMV, JHA



<a href="#"><u>HB 100</u></a> <a href="#"><u>Status</u></a>	RELATING TO CRIMINAL JUSTICE DATA SHARING. Establishes a criminal justice data sharing working group to make recommendations for a statewide criminal justice data repository.	JHA
<a href="#"><u>HB 1336, HD1</u></a> <a href="#"><u>(HSCR360)</u></a> <a href="#"><u>Status</u></a>	RELATING TO CRIMINAL JUSTICE REFORM. Part I: Authorizes officers to issue citations in lieu of making certain arrests. Authorizes a forty-eight hour grace period after a missed initial court appearance. Part II: Establishes a rebuttable presumption that a defendant is entitled to pretrial release. Requires the prosecution to prove by a preponderance of the evidence that release of a defendant would be inappropriate, based on certain specified criteria. Requires that bail be set in an amount that the defendant can afford, under certain circumstances. Prohibits the denial of pretrial release based solely upon certain factors, such as testing positive for drug use. Requires automatic issuance of no-contact orders in assaultive cases. Requires the prosecution, when seeking to revoke pretrial release, to prove by a preponderance of the evidence, based on certain specified criteria. Requires the court to enter certain findings into the record. Part III: Provides that a request that the defendant be ordered to undergo a substance abuse assessment may be made any time before trial. Prohibits the arrest of a probationer or parolee, or the revocation of probation or parole, solely due to the person having tested positive for drug use. Effective 6/30/3000. (HD1)	CMV, JHA
<a href="#"><u>HB 125</u></a> <a href="#"><u>Status</u></a>	RELATING TO CRIMINAL PROCEDURE. Adds a new section to Chapter 801, Hawaii Revised Statutes, establishing circumstances in which the presence of a defendant is required for court proceedings or may be waived.	JHA
<a href="#"><u>SB 36</u></a> <a href="#"><u>(SSCR1)</u></a> <a href="#"><u>Status</u></a>	RELATING TO THE INITIATION OF FELONY PROSECUTIONS. Specifies that a person may be tried and sentenced for certain alleged felony offenses through the complaint and preliminary hearing process, indictment by grand jury, or by written information. Specifies that multiple attempts to initiate a felony prosecution for the same offense, either through the same initial charging method or an alternative method, or in different forums, shall not be permitted, except in certain circumstances.	JHA
<a href="#"><u>HB 107</u></a> <a href="#"><u>Status</u></a>	RELATING TO RENEWAL OF DRIVER'S LICENSES. Authorizes the renewal of driver's licenses online or by electronic or digital means.	JHA
<a href="#"><u>HB 494</u></a> <a href="#"><u>Status</u></a>	RELATING TO MOTOR VEHICLES. Subjects to the rights, responsibilities, and liabilities of transferees under section 286-52, Hawaii Revised Statutes, organizations that receive motor vehicles as charitable donations.	JHA
<a href="#"><u>HB 118</u></a> <a href="#"><u>Status</u></a>	RELATING TO TRAFFIC FINES. Clarifies that each county may, by ordinance, designate certain sections of county highways as areas in which stopping, standing, or parking vehicles is prohibited or restricted.	JHA
<a href="#"><u>HB 1294</u></a> <a href="#"><u>Status</u></a>	RELATING TO ELECTIONS. Requires every candidate for public office in Hawaii to use their legal name for election purposes.	JHA



<a href="#"><u>HB 1152</u></a> <a href="#"><u>Status</u></a>	RELATING TO THE JUDICIARY. Amends the period in which the supreme court and intermediate appellate court are in session to June 1 of each year through April 1 of the following year. Specifies that the Hawaii supreme court and intermediate appellate court shall issue decisions only during the time period these courts are in session. Requires a written decision to be issued during the same session in which the oral argument is heard.	JHA
<a href="#"><u>HB 386</u></a> <a href="#"><u>Status</u></a>	RELATING TO THE SAFETY OF JUDICIARY PERSONNEL. Prohibits, in certain circumstances, the publication of the personal information of state and federal judges and other judicial staff whose duties put them at risk for acts of violence or threats.	JHA
<a href="#"><u>HB 1502</u></a> <a href="#"><u>Status</u></a>	RELATING TO EVIDENCE. Limits compelled disclosure of sources or unpublished information for journalists, newscasters, and persons participating in collection or dissemination of news or information of substantial public interest. Establishes exceptions.	JHA
<a href="#"><u>HB 1134, HD1</u></a> <a href="#"><u>(HSCR659)</u></a> <a href="#"><u>Status</u></a>	RELATING TO KANEOHE BAY. Prohibits commercial ocean use activity in Kaneohe Bay waters without a permit. Prohibits any person from advertising any commercial ocean use activity in Kaneohe Bay waters for which the person does not have a permit, lease, or license. Effective 6/30/3000. (HD1)	WAL, JHA
<a href="#"><u>HB 209, HD1</u></a> <a href="#"><u>(HSCR676)</u></a> <a href="#"><u>Status</u></a>	RELATING TO TOURISM. Requires the department of agriculture to include a statement on desecration laws in the plant and animal declaration form. Effective 6/30/3000. (HD1)	AGR, JHA
<a href="#"><u>HB 1241, HD1</u></a> <a href="#"><u>(HSCR487)</u></a> <a href="#"><u>Status</u></a>	RELATING TO RIGHT OF ENTRY FOR PROFESSIONAL SURVEYORS. Authorizes professional land surveyors and assistants under the direct supervision of land surveyors to enter 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. (HD1)	CPC, JHA

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, 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.

For remote testifiers, 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](mailto: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 remote 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 (808) 586-6325.

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Rep. David A. Tarnas  
Chair

