

STAND. COM. REP. NO.

824

Honolulu, Hawaii

FEB 27 , 2025

RE: H.B. No. 389
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 389 entitled:

"A BILL FOR AN ACT RELATING TO UNCREWED AIRCRAFT OFFENSES,"

begs leave to report as follows:

The purpose of this measure is to increase the penalty for using an uncrewed aircraft in the furtherance of the commission of a felony.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the increasing accessibility and misuse of drones pose a growing public safety threat. However, your Committee further finds that, rather than increasing the penalty for using drones in the furtherance of the commission of a felony, clarity should be given to distinguish the use of drones to further the commission of a felony, which is currently a class C felony, and other similar offenses that have exactly the same elements but are considered a class A felony or class B felony.

Accordingly, your Committee has amended this measure by:

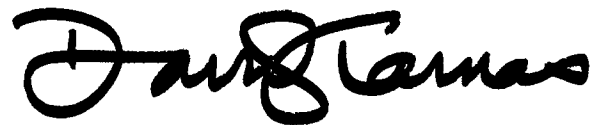
2025-2006 HB389 HD1 HSCR HMSO



- (1) Deleting language that would have increased the penalty for using an uncrewed aircraft in the furtherance of the commission of a felony;
- (2) Clarifying the applicable felony offenses for using an uncrewed aircraft in the furtherance of the commission of a felony; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 389, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 389, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



State of Hawaii
House of Representatives
The Thirty-third Legislature

HSCR 824

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 389	Committee Referral: JHA	Date: 02/19/2025		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris	✓			
10. GARCIA, Diamond	✓			
11. SHIMIZU, Garner M.	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				