

BILLS PASSED

BY THE

HAWAII STATE LEGISLATURE

REGULAR SESSION OF 2021

SHOWING ACTIONS TAKEN AS OF

April 29, 2021

Prepared by the:



Legislative Reference Bureau Systems Office
State Capitol, Room 413
415 South Beretania Street
Honolulu, HI 96813

Caveat: While all data are believed accurate, they are subject to change pending confirmation against official records kept by the respective Chief Clerk's offices.

FOREWORD

This publication contains brief descriptions of all bills passed by the Hawaii State Legislature during the Regular Session of 2021. We have included such data as the bill number, title, introducer, description, committee reports, current status, and sections of the Hawaii Revised Statutes affected by the bill. This publication reflects data recorded up to and including April 29, 2021, which is the date that the Legislature adjourned sine die. For your information, under Article III, Section 16 of the Hawaii State Constitution, the Governor has 45 days after adjournment sine die (not counting Saturdays, Sundays, and holidays), to consider bills for approval.

The Legislative Reference Bureau discourages the use of these descriptions of bills as a substitute for the bills passed by the Legislature. These descriptions are meant to be handy reference tools, not substitutes for the text. Copies of bills may be obtained at the various locations mentioned in this report.

This publication has been created by the Legislative Reference Bureau - Systems Office. Inquires on the approval of bills, their effective dates, subjects of bills passed, laws affected by bills passed, or any questions covering the data shown may be directed to Lori Lee Ohta. Their office is located at the State Capitol, Room 413 and their phone number is (808) 587-0700.

Charlotte A. Carter-Yamauchi
Director
Legislative Reference Bureau

April 2021

**WHERE TO OBTAIN COPIES OF BILLS OR ACTS
(Honolulu)**

SOURCE	CONTACT	HOURS	COST
All public libraries. Click on "Visit" at www.librarieshawaii.org for library location or listing in white pages: State offices, Dept. of Education, Public Library System	Reference Desk	Different for each library. Call to inquire or check branch hours at www.librarieshawaii.org .	Electronic access via the internet only at www.capitol.hawaii.gov . Library card required. Optional 15¢/page donation for printing.
Hawaii State Archives Iolani Palace Grounds 364 S. King Street Honolulu 96813 Phone: 586-0329	Reference Archivist	Monday - Friday 9:00 am - 4:00 pm	Copies 25¢/page. Certification \$2.25/record, which is subject to change. See http://ags.hawaii.gov/archives/about-us/forms-and-fees/ for other fees and services. State, local, federal government agencies gratis. Prepayment required to duplicate records and to mail copy orders (postage and handling fees). Staff unable to conduct research. Finding aids to Legislature records available in Archives Reading Room. Specific citations to bills, resolutions, and committee reports required to request records, see reference desk staff for assistance.
Senate Document Center State Capitol Room 012A Honolulu 96813 Phone: 586-6755	Tia Lobendahn or Senate Clerk's office (586-6720)	Monday - Friday 8:00 am - 4:00 pm	Free for reasonable quantities. Will fax 10 pages or less and mail reasonable quantities.
House Printshop State Capitol Room 012B Honolulu 96813 Phone: 586-6591 houseprintshop@capitol.hawaii.gov	Tammy Tengan or Summer Kaleo	Monday - Friday 8:00 am - 5:00 pm	General public – may request free copies to be mailed or faxed for reasonable quantities.
Lieutenant Governor State Capitol 5 th Floor Honolulu 96813 Phone: 586-0255	Wendy Kondo	Monday - Friday 7:45 am - 4:30 pm	25¢/page. Cost of postage for any mailings. Prepayment with cash, cashier's check or money order required.
Supreme Court Law Library 417 S. King Street, Rm. 115 Honolulu 96813 Phone: 539-4964	Front Desk	Monday - Friday 7:45 am - 4:15 pm	15¢/page (self service). Document delivery via email for 25¢/page plus \$2 handling charge (plus postage for mail-outs), prepayment with business or cashier's check or money order required.
William S. Richardson School of Law Library 2525 Dole Street Honolulu 96822 Phone: 956-7583	Circulation Desk	Different hours depending on time of year. Call to inquire or check website at https://library.law.hawaii.edu/	Scanned pages may be printed at circulation desk for 10¢/page. Documents can also be downloaded to flash drive or emailed.

**WHERE TO OBTAIN COPIES OF BILLS OR ACTS
(Hawaii, Kauai, & Maui)**

SOURCE	CONTACT	HOURS	COST
<i>Hawaii</i>			
All public libraries. Click on "Visit" at www.librarieshawaii.org for library location or listing in white pages: State offices, Dept. of Education, Public Library System	Reference Desk	Different for each library. Call to inquire or check branch hours at www.librarieshawaii.org .	Electronic access via the internet only at www.capitol.hawaii.gov . Library card required. Optional 15¢/page donation for printing.
Third Circuit Court Law Library - Hilo Hale Kaulike 777 Kilauea Avenue Hilo 96720 Phone: 961-7438	Jasmine	Monday - Friday 7:45 am - 4:30 pm	10¢/page (self service) 15¢/page via usage of the internet
Third Circuit Court Law Library - Kona Keahuolu Courthouse 74-5451 Kamakaeha Avenue Kailua-Kona 96740 Phone: 322-8729	Lisa	Monday - Friday 7:45 am - 4:15 pm	10¢/page (self service) 15¢/page via usage of the internet
<i>Kauai</i>			
All public libraries. Click on "Visit" at www.librarieshawaii.org for library location or listing in white pages: State offices, Dept. of Education, Public Library System	Reference Desk	Different for each library. Call to inquire or check branch hours at www.librarieshawaii.org .	Electronic access via the internet only at www.capitol.hawaii.gov . Library card required. Optional 15¢/page donation for printing.
Fifth Circuit Court Law Library - Kauai 3970 Kaana Street, Suite 100 Lihue 96766-1281 Phone: 539-4964		Monday, Wednesday, Friday, 9 am - 12 pm. Closed Tuesday and Thursday.	15¢/page (self service) or via usage of the internet
<i>Maui</i>			
All public libraries. Click on "Visit" at www.librarieshawaii.org for library location or listing in white pages: State offices, Dept. of Education, Public Library System	Reference Desk	Different for each library. Call to inquire or check branch hours at www.librarieshawaii.org .	Electronic access via the internet only at www.capitol.hawaii.gov . Library card required. Optional 15¢/page donation for printing.
Second Circuit Court Law Library - Maui Judiciary Complex, Room 207 2145 Main Street Wailuku 96793 Phone: 244-2959	Service Center Rm. 141	Monday - Friday 7:45 am - 4:30 pm	15¢/page (self service) or via usage of the internet

SENATE BILLS THAT PASSED THE LEGISLATURE

SB0057 SD2 HD3 CD1 (CCR 89)

RELATING TO VEHICLE INSPECTIONS.

Introduced by: Shimabukuro M, Chang S, Fevella K, Keohokalole J
Establishes provisions relating to vehicle inspector; certification; renewal. Requires the director of transportation to supervise and certify all inspectors authorized to conduct vehicle safety inspections at official inspection stations. Requires the director to determine minimum standards and application criteria for inspectors; administer written and performance examinations for all applicants; issue official inspector certificates; monitor inspection activities of inspectors; and investigations of reported or suspected improper inspection activities. Requires inspector certificates to expire 4 years from the date of issuance, unless revoked or suspended by the director. Requires recertification of inspectors to follow the application process for initial certification. -- Amends provisions relating to county finance director's duties. Requires the county finance director, upon being notified by the designated county department that a vehicle is a special interest vehicle to cause that fact to be shown upon the registration and title certificates for that vehicle. -- Amends provisions relating to reconstructed vehicles, approval required. Specifies restrictions and allowances. Requires this provision to be inoperative from January 1, 2022 to July 31, 2025 (sunset). Report to the legislature. -- SB0057 CD1
Committee Reports: SSCR 563 (TRS) SSCR 640 (CPN) HSCR 1033 (TRN) HSCR 1424 (CPC) HSCR 1849 (FIN) CCR 89

Current Status: Apr-27 21 Passed Legislature
Section Affected: 286- (1 SECTION), 286-42, 286-85

SB0060 SD1 HD1 CD1 (CCR 88)

RELATING TO SPECIAL NUMBER PLATES.

Introduced by: Inouye L, Chang S, Keith-Agaran G, Keohokalole J, Kidani M, Lee C, Misalucha B, San Buenaventura J, Shimabukuro M
Establishes special number plates; Polynesian Voyaging Society authorized. Requires the director of finance to issue to any registered owner of a motor vehicle, who is a resident of the State, upon completed application and payment of required fees, a special number plate for the registered owner's motor vehicle commemorating the Polynesian Voyaging Society. Requires the director of finance of the city and county of Honolulu, in consultation with the directors of finance of the counties of Kauai, Maui, and Hawaii; chiefs of police of the city and county of Honolulu and the counties of Kauai, Maui, and Hawaii; and the board of directors of the Polynesian Voyaging Society, to establish a special number plate. Requires that each special number plate be securely fastened to the motor vehicle in lieu of the uniform state number plate. Requires the director of finance to charge a special number plate fee at least equal to the county's cost of providing the special number plate and administrative costs, if any, plus a fundraising fee to be determined by the director of finance in consultation with the board of directors of the Polynesian Voyaging Society. The fundraising fee shall be in addition to any other state or county fees collected for a motor vehicle registration or license plate. Requires the revenue generated by the fundraising fees, or a portion of the revenue generated by the fundraising fees as determined by the director of finance, to be deposited in the name of the Polynesian Voyaging Society in a separate account. Allows the director of finance to revoke all special number plates issued if the total number of registered owners of motor vehicles that obtain the special number plates is less than 150 within 3 years of issuance of the 1st special number plate. -- SB0060 CD1

Committee Reports: SSCR 81 (TRS) SSCR 583 (WAM) HSCR 1373 (CAI) HSCR 1798 (FIN) CCR 88
Current Status: Apr-27 21 Passed Legislature
Section Affected: 249- (1 SECTION), 249-9.5

SB0140 SD2 HD2 CD1 (CCR 144)

RELATING TO COMMUNITY DEVELOPMENT.

Introduced by: Kanuha D, Chang S, Lee C
Establishes provisions relating to transit oriented development zone improvement program. Defines transit oriented development zone to mean the parcels of land within county designated transit oriented development zones, or within a 1/2 mile radius around proposed or existing transit stations if the county has not designated transit oriented development zones, as determined by the board, taking into account proximity, walkability, adopted county plans, and other relevant factors; provided that in a county with a population in excess of 500,000 a transit oriented development zone shall include a rail station or a planned rail station. Provides that transit oriented development zone includes all parcels of land on which any portion of said parcels are located within that 1/2 mile radius. -- Establishes provisions relating to the transit oriented development zone improvement board; established. Establishes the transit oriented development zone improvement board to govern the program. Requires the governor to appoint the

SENATE BILLS THAT PASSED THE LEGISLATURE

members of the board. -- Establishes provisions relating to the transit oriented development zone improvement program. Requires the board to develop a transit oriented development zone improvement program to identify necessary transit oriented development zone public facilities within the transit oriented development zones. Provides that whenever the board shall determine to undertake, or cause to be undertaken, any public facility as part of the program, the cost of providing the public facilities may be assessed against the real property in the transit oriented development zone specially benefiting from the public facilities. Requires the board to determine the areas of the transit oriented development zone that will benefit from the public facilities to be undertaken and, if less than the entire transit oriented development zone benefits, the board may establish assessment areas within the transit oriented development zone. Requires all sums collected under this provision to be deposited into the Hawaii community development revolving fund; provided that notwithstanding provisions relating to the Hawaii community development revolving fund, all moneys collected on account of assessments and interest thereon for any specific transit oriented development zone public facilities financed by the issuance of bonds shall be set apart in a separate special fund and applied solely to the payment of the principal and interest on these bonds and the cost of administering, operating, and maintaining the program; the establishment of reserves; and other purposes as may be authorized in the proceedings providing for the issuance of the bonds. -- SB0140 CD1

Committee Reports: SSCR 156 (WTL) SSCR 798 (WAM) HSCR 1071 (TRN/ HSG/)
HSCR 1384 (WAL) HSCR 1688 (FIN) CCR 144

Current Status: Apr-27 21 Passed Legislature

Section Affected: 206E- (4 SECTIONS) TRANSIT-ORIENTED DEVELOPMENT
ZONE IMPROVEMENT PROGRAM

SB0151 HD1 CD1 (CCR 1)

RELATING TO THE STATEWIDE TRAFFIC CODE.

Introduced by: Lee C

Amends provisions relating to the statewide traffic code law. Changes accident to collision in specific provisions under this law. -- SB0151 CD1

Committee Reports: SSCR 82 (TRS) SSCR 663 (JDC) HSCR 1446 (JHA) HSCR 1669
(CPC) CCR 1

Current Status: Apr-27 21 Passed Legislature

Section Affected: 291C-12, 291C-12.5, 291C-12.6, 291C-13, 291C-14, 291C-15,
291C-16, 291C-19, 291C-20, 291C-163

SB0153 SD2 HD1 CD1 (CCR 65)

RELATING TO THE STATEWIDE TRAFFIC CODE.

Introduced by: Lee C

Establishes provisions relating to Hawaii impaired driving prevention council under the use of intoxicants while operating a vehicle law. Provides that there is established the Hawaii impaired driving prevention council to be placed in the department of transportation for administrative purposes. Requires the Hawaii impaired driving prevention council to establish comprehensive strategies for preventing and reducing impaired driving, beginning with addressing the effectiveness of the ignition interlock program, and make recommendations to the legislature and to the counties. Requires the Hawaii impaired driving prevention council to be comprised of the following members, or their designee as specified. Requires the chair of the Hawaii impaired driving prevention council to invite the following members to join the council as specified. Allows the chair of the Hawaii impaired driving prevention council to invite other interested parties to participate, including those from both public and private sectors, with expertise in driver licensing, traffic safety, data and traffic records, treatment and rehabilitation, public health, alcohol beverage control, the ignition interlock program, or driver education. Reports to the legislature. -- SB0153 CD1

Committee Reports: SSCR 176 (TRS) SSCR 832 (JDC) HSCR 1716 (JHA) CCR 65

Current Status: Apr-27 21 Passed Legislature

Section Affected: 291E- (1 SECTION) HAWAII IMPAIRED DRIVING PREVENTION
COUNCIL

SB0157 HD1 CD1 (CCR 26)

RELATING TO LICENSING.

Introduced by: Lee C, Chang S, Gabbard M, Keith-Agaran G

Amends provisions relating to by whom solemnized. Allows a civil license to solemnize marriages to be issued to, and the marriage rite may be performed and solemnized by, any individual at least 18 years of age, upon presentation to the individual of a license to marry, as prescribed by this law. Allows an individual with a civil license to solemnize a marriage to receive the price stipulated by the parties or any gratuity tendered.

SENATE BILLS THAT PASSED THE LEGISLATURE

Requires the civil license to be valid for no less than 2 years from the date of its issuance; provided that a temporary 3 month civil license may be issued upon an individual's request. Requires the fee for a civil license to be 100 dollars per year the permit is valid; provided that the fee for a temporary 3 month license shall be 25 dollars. Requires an individual who performs a solemnization of a marriage pursuant to a civil license issued under this subsection to obtain the prior written consent of each person for whom a solemnization is performed and fulfill all provisions of provisions relating to record of solemnization; marriages, reported by whom; certified copies and delivery of records to department of health; penalty applicable to persons authorized to solemnize marriages. -- SB0157 CD1

Committee Reports: SSCR 690 (JDC) HSCR 1717 (JHA) CCR 26

Current Status: Apr-27 21 Passed Legislature

Section Affected: 572-12

SB0159 SD1 HD1 CD1 (CCR 94)

RELATING TO VOTING.

Introduced by: Lee C, Chang S, Ihara L, Keith-Agaran G, Keohokalole J, Kidani M, Misalucha B, Nishihara C, Rhoads K

Establishes provisions relating to automatic registration. Prohibits applications for an identification card or driver's license to be processed until the applicant completes the portion of the application related to voter registration and indicates the applicant's choice of whether to register to vote. Provides that if already registered to vote, the applicant shall be offered the opportunity to decline any changes being made to their name and address for voter registration purposes. Prohibits the examiner of drivers to transmit any information necessary to register an applicant as a voter if the applicant made a choice not to be registered to vote nor transmit any information necessary to make changes to the applicant's voter registration information if the applicant declined such changes. Prohibits the examiner of drivers to transmit any information related to a voter application or changes to the applicant's voter registration information if the applicant presents a document demonstrating a lack of US citizenship. -- SB0159 CD1

Committee Reports: SSCR 752 (JDC) HSCR 1471 (JHA) HSCR 1793 (FIN) CCR 94

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11- (1 SECTION), 286- (1 SECTION), 286- (1 SECTION), 286-108, 286-111, 286-303, 286-311

SB0186 HD1 CD1 (CCR 5)

RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES.

Introduced by: Kouchi R (BR)

Amends provisions relating to private restrictions on agricultural uses and activities; not allowed. Prohibits agricultural uses and activities on lands classified as agricultural to be restricted by any private agreement contained in any deed, agreement of sale, or other conveyance of land recorded in the bureau of conveyances after July 8, 2003, that subjects the agricultural lands to any servitude, including but not limited to covenants, easements, or equitable and reciprocal negative servitudes; provided that any private agreement contained in a conveyance of land recorded on or before July 8, 2003, that limits or prohibits agricultural use or activity; and is renewed and recorded in the bureau of conveyances after July 8, 2003, shall be considered a new private agreement that is subject to the prohibition on agricultural use and activity restrictions under this provision. -- SB0186 CD1

Committee Reports: SSCR 264 (AEN) SSCR 658 (CPN) HSCR 988 (WAL) HSCR 1216 (AGR) HSCR 1673 (CPC) CCR 5

Current Status: Apr-27 21 Passed Legislature

Section Affected: 205-4.6

SB0189 SD1 HD1 CD1 (CCR 16)

RELATING TO DOG BITES.

Introduced by: Rhoads K

Amends provisions relating to human bitten by dog; duty of dog owners; action against owner. Provides that whenever a dog has bitten a human being under circumstances for which none of the exceptions specified in provisions relating to exception of animal owners to civil liability apply, any person may bring an action against the owner of the dog in the district court of the judicial circuit in which the owner resides, to determine whether conditions of the treatment or confinement of the dog or other circumstances existing at the time of the bite or bites have been changed so as to remove the danger to other persons presented by the animal. -- SB0189 CD1

Committee Reports: SSCR 695 (JDC) HSCR 1718 (JHA) CCR 16

Current Status: Apr-27 21 Passed Legislature

Section Affected: 142-75

SENATE BILLS THAT PASSED THE LEGISLATURE

- SB0200 HD2 CD1 (CCR 14) RELATING TO ELECTIONS.
Introduced by: Rhoads K
Amends provisions relating to late contributions; late expenditures; report. Requires the candidate, authorized person in the case of a noncandidate committee that is a party, or treasurer in the case of a candidate committee or other noncandidate committee, that, within the period of 14 calendar days through 4 calendar days before any election for which the candidate is on the ballot, makes contributions aggregating more than 500 dollars, or receives contributions from any person aggregating more than 500 dollars, to file a late contribution report by means of the commission's electronic filing system on or before the 3rd calendar day before the election for which the candidate is on the ballot.
-- SB0200 CD1
Committee Reports: SSCR 58 (JDC) HSCR 1431 (GVR) HSCR 1844 (JHA) CCR 14
Current Status: Apr-27 21 Passed Legislature
Section Affected: 11-338
- SB0222 SD1 HD1 CD1 (CCR 131) RELATING TO THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES.
Introduced by: Dela Cruz D, Chang S, English J, Fevella K, Keith-Agaran G, Kidani M, Moriwaki S
Amends provisions relating to annual reports under the audit and accounting law. Beginning July 1, 2022, requires the comptroller's annual report to the governor and legislature (report to the legislature) to include a list of all accounts that were closed by the comptroller during the immediately preceding fiscal year, and a list of accounts that remain open but that are serving a lapsed program or initiative. -- SB0222 CD1
Committee Reports: SSCR 354 (GVO) SSCR 852 (WAM) HSCR 1429 (GVR) HSCR 1822 (FIN) CCR 131
Current Status: Apr-27 21 Passed Legislature
Section Affected: 40-5
- SB0224 HD1 CD1 (CCR 57) RELATING TO EDUCATION.
Introduced by: Dela Cruz D, Fevella K, Keith-Agaran G, Kidani M, Moriwaki S
Establishes provisions relating to career and technical education programs; enrollment. Requires any school having a career and technical education program to enroll all students who submit a timely application for participation in the program and who reside within the school's service area; were enrolled in the school during the previous school year; or reside outside the school's service area. Provides that if enrolling all students will cause the enrollment of the school to exceed the capacity of a program, class, grade level, or building, the school shall enroll all students pursuant to the 1st 2 conditions and fill any remaining capacity of the program, class, grade level, or building by selecting eligible students who reside outside the school's service area through a lottery system.
-- SB0224 CD1
Committee Reports: SSCR 15 (EDU) SSCR 310 (WAM) HSCR 1026 (EDN) HSCR 1806 (FIN) CCR 57
Current Status: Apr-27 21 Passed Legislature
Section Affected: 302A- (1 SECTION), 302A-101, 302A-1143
- SB0225 SD1 HD1 CD1 (CCR 93) RELATING TO INFRASTRUCTURE IMPROVEMENT DISTRICTS.
Introduced by: Dela Cruz D, Chang S, Keith-Agaran G, Keohokalole J, Kidani M, Moriwaki S
Amends provisions relating to regional state infrastructure subaccounts. Provides that whenever the Hawaii housing finance and development corporation undertakes, or causes to be undertaken, a regional infrastructure improvement project, the cost of providing regional infrastructure improvements may be assessed against transit oriented development projects specially benefiting from the improvements, and the corporation shall take into consideration previous contributions by project owners to infrastructure improvements; provided that the corporation may fix the assessments against real property specially benefited. Requires all assessments made pursuant to this provision to be a statutory lien against each lot or parcel of land assessed from the date of the notice declaring the assessment until paid and the lien shall have priority over all other liens except the lien of property taxes. Requires as between liens of assessments, the earlier lien to be superior to the later lien. Notwithstanding any other law to the contrary, in assessing real property specially benefiting from improvements, the corporation may utilize various methods including but not limited to assessment on a frontage basis; according to the area of real property for transit oriented development projects; according to the area of real property within an assessment area; any other assessment method that assesses the real property according to the special benefit conferred; or any

SENATE BILLS THAT PASSED THE LEGISLATURE

combination thereof; the assessments made under this provision shall not apply to projects within the stadium development district; the corporation shall adopt rules, providing for the method of assessment of real properties specially benefited; and all sums collected under this subsection shall be deposited in the dwelling unit revolving fund. Requires the Hawaii interagency council for transit oriented development to review and make recommendations on applications for subaccount funds for infrastructure projects related to transit oriented development. -- SB0225 CD1

Committee Reports: SSCR 93 (EET) SSCR 581 (WAM) HSCR 1096 (HSG/ TRN/)
HSCR 1383 (WAL) HSCR 1801 (FIN) CCR 93

Current Status: Apr-27 21 Passed Legislature

Section Affected: 201H-191.5

SB0242 SD2 HD2 CD1 (CCR 130)

RELATING TO EDUCATION.

Introduced by: Dela Cruz D, Inouye L, Kanuha D, Keith-Agaran G, Lee C, Misalucha B, Moriwaki S

Amends provisions relating to computer science; curricula plan; public schools. Provides that beginning with the 2022-2023 school year, at least 1 public elementary school and 1 public middle or intermediate school in each complex area shall offer computer science courses or computer science content. Provides that beginning with the 2023-2024 school year, no less than 50 per cent of the public elementary schools and no less than 50 per cent of the public middle and intermediate schools in each complex area shall offer computer science courses or computer science content. Provides that beginning with the 2024-2025 school year, all public elementary, middle, and intermediate schools shall offer computer science courses or computer science content. Provides that by June 30, 2022, and by each June 30 thereafter, the superintendent shall submit to the board and legislature a report (report to the legislature) of the computer science courses and computer science content offered during the previous school year at the schools in each complex area. Specifies information to be included in the report. -- Establishes provisions relating to computer science. Provides that beginning with the 2024-2025 school year, each public charter school that serves elementary, middle, intermediate, or high school students shall offer computer science courses or computer science content at a frequency that allows a student to enroll in a computer science course or receive computer science content at least once while the student is at each of the elementary school, middle or intermediate school, and high school levels. (COVID-19, COVID 19, coronavirus) -- SB0242 CD1

Committee Reports: SSCR 13 (EDU) SSCR 311 (WAM) HSCR 1027 (EDN) HSCR
1873 (FIN) CCR 130

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302A-101, 302A-323, 302D- (1 SECTION), 302D-1

SB0244 SD2 HD1 CD1 (CCR 68)

RELATING TO FOOD DONATION.

Introduced by: Dela Cruz D, Baker R, English J, Fevella K, Gabbard M, Inouye L, Kanuha D, Keith-Agaran G, Lee C, Misalucha B, Moriwaki S, Nishihara C, Riviere G, San Buenaventura J

Amends provisions relating to exceptions to liability. Provides that any charitable, religious, or nonprofit organization that receives food that is apparently fit for human consumption; and distributes the food in good faith to needy persons at no charge. Establishes exceptions to liability as specified. -- Amends provisions relating to exemption for providing shelter and subsistence to the needy. Provides that any donor who donates goods, materials, or services to a charitable or nonprofit organization described shall be exempt from civil liability for injuries and damages resulting from the donation, except for gross negligence or wanton acts or omissions. -- SB0244 CD1

Committee Reports: SSCR 459 (AEN/ HTH/) SSCR 643 (CPN) HSCR 1654 (CPC)
CCR 68

Current Status: Apr-27 21 Passed Legislature

Section Affected: 145D-2, 663-10.6

SB0263 SD2 HD2 CD1 (CCR 140)

RELATING TO ECONOMIC DEVELOPMENT.

Introduced by: Dela Cruz D

Establishes provisions relating to "Hawaii Made" program for manufactured products oversight; "Hawaii Made" trademark. Requires the department of business, economic development, and tourism to administer and oversee a "Hawaii Made" program for manufactured products and shall hold ownership of the "Hawaii Made" trademark. Requires the department of business, economic development, and tourism to promote consumer demand for "Hawaii Made" products; coordinate manufacturing of "Hawaii

SENATE BILLS THAT PASSED THE LEGISLATURE

Made" products; coordinate and promote distribution channels for "Hawaii Made" products; ensure that appropriate patents and copyrights are acquired for "Hawaii Made" products; and identify new funding opportunities to promote the expansion of "Hawaii Made" products. Prohibits a person to keep, offer, display or expose for sale, or solicit for the sale of any item, product, souvenir, or other merchandise that is labeled "Hawaii Made"; or by any other means, represents the origin of the item as being from any place within the State; or use the phrase "Hawaii Made" as an advertising or media tool, for any item that has not been manufactured, assembled, fabricated, or produced within the State and that has not had at least 51 per cent of its wholesale value added by manufacture, assembly, fabrication, or production within the State, including Hawaii sourced goods, services, and intellectual property. -- Appropriation from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to department of business, economic development, and tourism to be used for the oversight and administration of the "Hawaii Made" program for manufactured products and for the department of business, economic development, and tourism to promote the "Hawaii Made" brand. (\$\$)
-- SB0263 CD1

Committee Reports: SSCR 531 (EET/ AEN/) SSCR 948 (WAM) HSCR 1024 (ECD/ AGR/) HSCR 1509 (CPC) HSCR 1859 (FIN) CCR 140

Current Status: Apr-27 21 Passed Legislature

Section Affected: 201- (1 SECTION) "HAWAII MADE" PROGRAM FOR MANUFACTURED PRODUCTS OVERSIGHT

SB0309 SD1 HD2 CD1 (CCR 70)

RELATING TO PRIVACY.

Introduced by: Rhoads K

Amends provisions relating to violation of privacy in the 1st degree. Adds that provides that a person intentionally creates or discloses, or threatens to disclose, an image or video of a composite fictitious person depicted in the nude, or engaged in sexual conduct, that includes the recognizable physical characteristics of a known person so that the image or video appears to depict the known person and not a composite fictitious person, with intent to substantially harm the depicted person with respect to that person's health, safety, business, calling, career, education, financial condition, reputation, or personal relationships, or as an act of revenge or retribution. -- SB0309 CD1

Committee Reports: SSCR 42 (JDC) HSCR 1396 (CPC) HSCR 1839 (JHA) CCR 70

Current Status: Apr-27 21 Passed Legislature

Section Affected: 711-1110.9

SB0320 HD1 CD1 (CCR 86)

RELATING TO TAX RETURN PREPARERS.

Introduced by: Keohokalole J

Establishes provisions relating to tax return preparers; preparer tax identification number required. Requires a tax return preparer to have a valid preparer tax identification number. Prohibits a tax return preparer to for compensation, prepare any return or claim for refund without having a valid preparer tax identification number or omit its preparer tax identification number from any return or claim for refund prepared for compensation where the department requires the preparer tax identification number to be disclosed. Establishes penalties. Allows the director of taxation to waive the penalties under this provision in part or in full if the tax return preparer shows that the violation was due to reasonable cause. -- SB0320 CD1

Committee Reports: SSCR 48 (CPN) SSCR 848 (JDC/ WAM/) HSCR 1399 (CPC) HSCR 1691 (FIN) CCR 86

Current Status: Apr-27 21 Passed Legislature

Section Affected: 231- (1 SECTION) TAX RETURN PREPARERS

SB0324 SD1 HD1 CD1 (CCR 146)

RELATING TO THE PRACTICE OF MEDICINE.

Introduced by: Keohokalole J

Amends provisions relating to practice of medicine defined under medicine and surgery law. Provides that for the purposes of this law, the practice of medicine by a physician or an osteopathic physician includes the use of drugs and medicines; surgery; manual medicine; water; electricity; hypnotism; telehealth; the interpretation of tests, including primary diagnosis of pathology specimens, medical imaging, or any physical; osteopathic medicine; any means, method, or agent, either tangible or intangible, to diagnose, treat, prescribe for, palliate, or correct disease, or prevent any human disease, condition, ailment, pain, injury, deformity, illness, infirmity, defect, physical or mental condition in the human subject. -- SB0324 CD1

Committee Reports: SSCR 151 (HTH) SSCR 626 (CPN) HSCR 1041 (HHH) HSCR 1489 (CPC) HSCR 1676 (FIN) CCR 146

SENATE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-27 21 Passed Legislature
Section Affected: 453-1

- SB0329 SD1 HD1 CD1 (CCR 2) RELATING TO CONDOMINIUMS.
Introduced by: Moriwaki S
Amends provisions relating to upkeep of condominium; disposition of unclaimed possessions. Requires that if the identity and address of the owner are known, no sale, storage, donation, or other disposal to occur until 30 days after the board notifies the owner in writing; and if the identity or address of the owner is unknown, allows the board to proceed directly to sell, store, donate, or otherwise dispose of the personalty. Requires that the proceeds of any sale or disposition of personalty to immediately become the property of the association. -- SB0329 CD1
Committee Reports: SSCR 105 (CPN) SSCR 666 (JDC) HSCR 1655 (CPC) CCR 2
Current Status: Apr-27 21 Passed Legislature
Section Affected: 514B-139
- SB0332 SD2 HD2 CD1 (CCR 132) RELATING TO PREAUDIT PAYMENTS.
Introduced by: Moriwaki S
Amends provisions relating to comptroller to supervise accounts, etc. Allows the comptroller to preaudit all proposed payments less than 100,000 dollars to determine the propriety of expenditures and compliance with executive orders and rules that may be in effect. Requires the comptroller to preaudit all proposed payments of 100,000 dollars or more to determine the propriety of expenditures and compliance with executive orders and rules that may be in effect. Act to be repealed on July 1, 2024 (sunset) and reenacted with specific section. -- SB0332 CD1
Committee Reports: SSCR 355 (GVO) SSCR 792 (WAM) HSCR 1430 (GVR) HSCR 1841 (FIN) CCR 132
Current Status: Apr-27 21 Passed Legislature
Section Affected: 40-1
- SB0336 SD1 HD1 CD1 (CCR 4) RELATING TO AGRICULTURAL LOANS.
Introduced by: Gabbard M, English J, Inouye L, Kanuha D, Keith-Agaran G, Kidani M, Kim D, Lee C, Misalucha B, Rhoads K, Riviere G
Amends provisions relating to powers and duties of the department of agriculture. Requires the department of agriculture to delegate authority to its chairperson of the board of agriculture to approve loans, where the requested amount plus any principal balance on existing loans to the applicant, does not exceed 50,000 dollars of state funds. -- Amends provisions relating to aquaculture loan program. Allows the chairperson of the board of agriculture to approve loans, where the requested amount, plus any principal balance on existing loans to the applicant, does not exceed 50,000 dollars of state funds. -- SB0336 CD1
Committee Reports: SSCR 5 (AEN) SSCR 242 (WAM) HSCR 977 (AGR) HSCR 1828 (FIN) CCR 4
Current Status: Apr-27 21 Passed Legislature
Section Affected: 155-4, 219-5
- SB0343 SD1 HD1 (HSCR 1827) RELATING TO SEXUAL ASSAULT OF AN ANIMAL.
Introduced by: Gabbard M, Lee C, Misalucha B, Rhoads K
Establishes provisions relating to sexual assault of an animal. Provides that a person commits the offense of sexual assault of an animal if the person knowingly subjects an animal to sexual contact; possesses, sells, transfers, purchases, or otherwise obtains an animal with the intent to subject the animal to sexual contact; organizes, promotes, conducts, or participates as an observer in an act where an animal is subject to sexual contact; causes, coerces, aids, or abets another person to subject an animal to sexual contact; permits sexual contact with an animal to be conducted on any premises under the person's charge or control; advertises, solicits, offers, or accepts the offer of an animal with the intent that it be subjected to sexual contact in the State; creates, distributes, publishes, or transmits, whether for commercial or recreational purposes, a pornographic image or material depicting a person subjecting an animal to sexual contact. Exempts veterinary medicine; artificial insemination of animals for the purpose of procreation; animal husbandry; conformation judging; or customary care of an animal by its owner. Provides that unless otherwise provided by any other law sexual assault of an animal is a misdemeanor for the 1st offense and a class C felony for the 2nd or subsequent offense; or if the offense subjected a minor to sexual contact with an animal or was committed in the presence of a minor as defined in provisions relating to

SENATE BILLS THAT PASSED THE LEGISLATURE

sentencing in enumerated offenses committed in the presence of a minor, sexual assault of an animal is a class B felony. Further provides that each violation of this provision shall constitute a separate offense; and upon conviction, guilty plea, or plea of nolo contendere for any violation of this provision, in addition to any other penalty as specified.

-- Amends provisions relating to sentencing in enumerated offenses committed in the presence of a minor. Redefines offense to include sexual assault of an animal under offenses against public order law. -- SB0343 HD1

Committee Reports: SSCR 43 (JDC) HSCR 979 (AGR) HSCR 1827 (JHA)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 711- (1 SECTION), 706-606.4

SB0345 SD2 HD1 CD1 (CCR 22)

RELATING TO COSMETICS.

Introduced by: Gabbard M, Lee C

Establishes provisions relating to cosmetics; animal testing; prohibition under department of health law. Prohibits a manufacturer to import for profit, sell or offer for sale in the State any cosmetic for which the manufacturer knew or reasonably should have known that an animal test was conducted or contracted, by or on behalf of the manufacturer or any supplier of the manufacturer, on or after January 1, 2022, in a cruel manner, as identified in provisions relating to cruelty to animals in the 1st degree. Establishes fines. Provides that a prosecuting attorney may, upon a determination that there is a reasonable likelihood that a violation has occurred, to require a cosmetic manufacturer to disclose for the prosecuting attorney's review the testing data upon which the cosmetic manufacturer has relied in the development or manufacturing of the relevant cosmetic product sold in the State. Authorizes testing data disclosed to be withheld from public disclosure as confidential business information or otherwise under provisions relating to government records; exceptions to general rules, it shall be treated as confidential and shall not be disclosed except to the extent necessary for enforcement. Prohibits counties or other political subdivisions of the State to establish any prohibition on or relating to animal tests. Establishes exemptions as specified. -- SB0345 CD1

Committee Reports: SSCR 24 (AEN) SSCR 766 (JDC/ CPN/) HSCR 1213 (AGR) HSCR 1670 (CPC) CCR 22

Current Status: Apr-27 21 Passed Legislature

Section Affected: 321- (1 SECTION) COSMETICS

SB0348 SD1 HD1 CD1 (CCR 69)

RELATING TO BOTTLED WATER.

Introduced by: Gabbard M, Dela Cruz D, Fevella K, Lee C, Riviere G

Amends provisions relating to product quality under bottle water law. Provides that all bottled water shall meet standards prescribed by the FDA in 21 C.F.R. section 165.110.

-- Amends provisions relating to manufacturing, operations; requirements. Repeals the provisions that for optimum consumer protection, in order to minimize the potential for microbiological contamination of the finished product, noncarbonated bottled water shall not be transported, stored, processed, or bottled in or through lines or equipment through which any food product other than water is passed. -- SB0348 CD1

Committee Reports: SSCR 26 (AEN) SSCR 627 (CPN) HSCR 1007 (EEP) HSCR 1413 (CPC) HSCR 1683 (FIN) CCR 69

Current Status: Apr-27 21 Passed Legislature

Section Affected: 328D-2, 328D-3

SB0367 SD2 HD2 CD1 (CCR 46)

RELATING TO WATER QUALITY.

Introduced by: Gabbard M, Keith-Agaran G, Lee C, Riviere G

Amends provisions relating to permits; procedures for. Provides that the department of health shall not require a water quality certification pursuant to section 401 of the federal Clean Water Act under the water pollution law for any applicant of the small scale beach restoration program that has received notice of authorization to proceed from the department of land and natural resources' office of conservation and coastal lands. -- SB0367 CD1

Committee Reports: SSCR 330 (WTL/ AEN/) SSCR 935 (JDC) HSCR 1222 (EEP/ WAL/) HSCR 1853 (JHA) CCR 46

Current Status: Apr-27 21 Passed Legislature

Section Affected: 342D-6

SB0384 HD1 CD1 (CCR 103)

RELATING TO TAX APPEALS.

Introduced by: Kouchi R (BR)

Amends provisions relating to costs; deposit for on appeal. Changes title to filing fee. Requires no filing fee to be charged on appeal to the state board of review. Requires the

SENATE BILLS THAT PASSED THE LEGISLATURE

nonrefundable filing fee in any 1 case per taxpayer on any appeal to the tax appeal court to be an amount set pursuant to rules adopted by the supreme court, which shall not exceed 100 dollars. Provides that on appeal to the intermediate appellate court, the nonrefundable filing fee shall be the same as in appeals from decisions of circuit courts, as provided by sections 607-5 (Costs; circuit courts) and 607-6 (Appellate court costs). -- Amends provisions relating to costs, taxation. Changes title to taxation. Repeals provision that in the event of an appeal by a taxpayer to the state board of review, if the appeal is compromised, or is sustained as to 50 per cent or more of the amount in dispute, the costs deposited shall be returned to the appellant; otherwise the entire amount of costs deposited shall be retained. Repeals provision that in the event of an appeal by a taxpayer to the tax appeal court, if the appeal or objection is sustained in whole, the costs deposited shall be returned to the appellant; if the appeal or objection is sustained in part only, or if an agreement or compromise is made between the appellant and the tax assessor or other proper officer, whereby a reduction is made in the total amount of the valuation assessed (in cases of real property tax appeals) or the tax assessed (in other cases), then a part of the costs proportionate to the amount for which the appellant obtains a judgment or proportionate to the amount of the reduction, as the case may be, shall be returned to the appellant; in the event of dismissal of the appeal without hearing upon the merits, the costs deposited in the amount set pursuant to rules adopted by the supreme court shall be returned to the appellant. -- SB0384 CD1
Committee Reports: SSCR 261 (WAM) HSCR 1448 (JHA) HSCR 1701 (FIN) CCR 103
Current Status: Apr-27 21 Passed Legislature
Section Affected: 232-22, 232-23

SB0385 SD1 HD2 CD1 (CCR 63)

RELATING TO THE UNIFORM TRUST CODE.

Introduced by: Kouchi R (BR)

Establishes the uniform trust code law. Provides that this law applies to express trusts, charitable or noncharitable, and trusts created pursuant to a statute, judgment, or decree that requires the trust to be administered in the manner of an express trust. -- Establishes provisions relating to knowledge; default and mandatory rules; common law of trusts; principles of equity; governing law; principal place of administration; methods and waiver of notice; others treated as qualified beneficiaries; nonjudicial settlement agreements; rules of construction; insurable interest of trustee; role of court in administration of trust; jurisdiction over trustee and beneficiary; subject matter jurisdiction; venue; representation; basic effect; representation by holder of power of appointment; representation by fiduciaries and parents; representation by person having substantially identical interest; appointment of guardian ad litem; methods of creating trust; requirements for creation; trusts created in other jurisdictions; trust purposes; charitable purposes; enforcement; creation of trust induced by fraud, duress, or undue influence; evidence of oral trust; trust for care of animal; noncharitable trust without ascertainable beneficiary; modification or termination of trust; proceedings for approval or disapproval; modification or termination of noncharitable irrevocable trust by consent; modification or termination because of unanticipated circumstances or inability to administer trust effectively; cy pres; modification or termination of uneconomic trust; reformation to correct mistakes; modification to achieve settlor's tax objectives; combination and division of trusts; rights of beneficiary's creditor or assignee; spendthrift provision; exceptions to spendthrift provision; discretionary trusts; effect of standard; creditor's claim against settlor; overdue distribution; personal obligations of trustee; capacity of settlor of revocable trust; revocation or amendment of revocable trust; settlor's powers; powers of withdrawal; limitation on action contesting validity of revocable trust; distribution of trust property; accepting or declining trusteeship; trustee's bond; cotrustees; vacancy in trusteeship; appointment of successor; resignation of trustee; removal of trustee; delivery of property by former trustee; compensation of trustee; reimbursement of expenses; duty to administer trust; duty of loyalty; impartiality; prudent administration; costs of administration; trustee's skills; delegation by trustee; powers to direct; control and protection of trust property; recordkeeping and identification of trust property; enforcement and defense of claims; collecting trust property; duty to inform and report; discretionary powers; tax savings; general powers of trustee; specific powers of trustee; distribution upon termination; prudent investor rule; standard of care; portfolio strategy; risk and return objectives; diversification; duties at inception of trusteeship; reviewing compliance; language invoking standard of part; remedies for breach of trust; damages for breach of trust; no damages in absence of breach; attorney's fees and costs; limitation of action against trustee; reliance on trust instrument; event affecting administration or distribution; exculpation of trustee; beneficiary's consent, release, or ratification; limitation on personal liability of trustee; interest as general partner; protection of person dealing

SENATE BILLS THAT PASSED THE LEGISLATURE

with trustee; certification of trust; uniformity of application and construction; electronic records and signatures; severability clause; application to existing relationships. -- Repeals the uniform trustees' powers act law. -- Repeals the uniform prudent investor act law. -- Repeals provisions relating to trust administration. -- Repeals provisions relating to nomination by beneficiaries; appointment of trustees. -- Repeals provisions relating to annual account; trustees to file. -- SB0385 CD1

Committee Reports: SSCR 698 (JDC) HSCR 1015 (JHA) HSCR 1470 (CPC) HSCR 1702 (FIN) CCR 63

Current Status: Apr-27 21 Passed Legislature

Section Affected: (99 SECTIONS) UNIFORM TRUST CODE, 415A-2, 554G-4.5, 556A-2, 560:3-703, 560:3-913, 560:8-101, 554A-1, 554A-2, 554A-3, 554A-4, 554A-5, 554A-6, 554A-7, 554A-8, 554A-9, 554A-10, 554A-11, 554C-1, 554C-2, 554C-3, 554C-4, 554C-5, 554C-6, 554C-7, 554C-8, 554C-9, 554C-10, 554C-11, 554C-12, 560:7-101, 560:7-102, 560:7-103, 560:7-104, 560:7-105, 560:7-106, 560:7-201, 560:7-202, 560:7-203, 560:7-204, 560:7-205, 560:7-206, 560:7-301, 560:7-302, 560:7-303, 560:7-304, 560:7-305, 560:7-306, 560:7-307, 560:7-401, 560:7-501, 554-2, 554-4

SB0386 SD1 HD2 CD1 (CCR 92)

RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP.

Introduced by: Kouchi R (BR)

Amends provisions relating to detention; shelter; release; notice. Provides that unless a court finds, after a hearing and in writing, that it is in the interest of justice as provided for in this provision, a minor believed to come within provisions relating to jurisdiction; children or a minor awaiting trial or another legal process, who is treated as an adult for purposes of prosecution in criminal court and housed in a secure facility shall not have sight or sound contact with adult inmates; or be held in any jail or lockup for adults, except as provided in this provision. Allows detention in a jail or lockup for adults to be permitted for a minor accused of a non status offense who is held for a period not to exceed 6 hours; provided that the minor is being held for processing or release while awaiting transfer to a juvenile facility; or for a court appearance that occurs within the period of detention; or a minor accused of a non status offense who is awaiting an initial court appearance that will occur within 48 hours of the minor being taken into custody, excluding weekends and holidays, and where the jail or lockup for adults is in a specific location; provided that the minor shall not have sight or sound contact with adult inmates; provided further that the State shall have a policy in effect that requires individuals who work with both minor and adult inmates in collocated facilities to be trained and certified to work with juveniles. Provides that where a minor transferred for criminal proceedings pursuant to a waiver of family court jurisdiction is detained, the minor shall not have sight or sound contact with adult inmates; or be held in any jail or lockup for adults, unless a court finds, after a hearing and in writing, that it is in the interest of justice. Provides that in determining whether it is in the interest of justice to permit a minor to be held in any jail or lockup for adults, or to have sight or sound contact with adult inmates, a court shall consider specified criteria. Provides that if a court determines that it is in the interest of justice to permit a minor to be held in any jail or lockup for adults, or to have sight or sound contact with adult inmates; the court shall hold a hearing no less frequently than once every 30 days, or in the case of a rural jurisdiction, no less frequently than once every 45 days, to review whether it remains in the interest of justice to permit the minor to be held in a jail or lockup for adults or to have sight or sound contact with adult inmates; and the minor shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension, or the minor expressly waives this limitation. -- Amends provisions relating to circuit court disposition of offenders under 18 years. Requires the circuit court to commit all offenders under 18 years of age, duly convicted before the court, to the Hawaii youth correctional facilities in all cases where the court deems the sentence to be more suitable than the punishment otherwise authorized by law. -- SB0386 CD1

Committee Reports: SSCR 51 (HMS) SSCR 840 (JDC) HSCR 1090 (HHH/ CMV/) HSCR 1480 (JHA) HSCR 1677 (FIN) CCR 92

Current Status: Apr-27 21 Passed Legislature

Section Affected: 571-32, 352-10

SB0400 SD1 HD1 CD1 (CCR 106)

RELATING TO CAMPAIGN FINANCE REPORTS.

Introduced by: Kouchi R (BR)

SENATE BILLS THAT PASSED THE LEGISLATURE

Amends provisions relating to failure to file report; filing a substantially defective or deficient report. Provides that if a candidate committee does not file the preliminary primary report that is due 10 calendar days prior to a primary, initial special, or initial nonpartisan election, or the preliminary general report that is due 10 calendar days prior to a general, subsequent special, or subsequent nonpartisan election; or if a noncandidate committee does not file the preliminary primary report that is due 10 calendar days prior to a primary, special, or nonpartisan election, or the preliminary general report that is due 10 calendar days prior to a general election by the due date, the fine, if assessed, shall not exceed 300 dollars per day. -- SB0400 CD1

Committee Reports: SSCR 45 (JDC) HSCR 1061 (GVR) HSCR 1452 (JHA) HSCR 1674 (FIN) CCR 106

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11-340

SB0402 HD1 CD1 (CCR 107)

RELATING TO REIMBURSEMENTS FOR EXPENDITURES BY COMMITTEES.

Introduced by: Kouchi R (BR)

Amends provisions relating to candidate committee reports. Requires schedules filed with the reports to include expenditures for committee reimbursements to the candidate or other individuals. -- Amends provisions relating to noncandidate committee reports. Repeals requirement that schedules filed with the reports include expenditures for candidate reimbursements to be itemized. -- SB0402 CD1

Committee Reports: SSCR 590 (JDC) HSCR 1001 (GVR) HSCR 1437 (JHA) HSCR 1824 (FIN) CCR 107

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11-333, 11-335

SB0404 HD2 CD1 (CCR 61)

RELATING TO ELECTIONEERING COMMUNICATIONS.

Introduced by: Kouchi R (BR)

Amends provisions relating to electioneering communications; statement of information. Requires each person who makes an expenditure for electioneering communications in an aggregate amount of more than 1,000 dollars during any calendar year to file with the campaign spending commission a statement of information within 24 hours of each disclosure date provided in this provision. Redefines disclosure date to mean, for every calendar year, the 1st date by which a person has made expenditures during that same year of more than 1,000 dollars in the aggregate for electioneering communications; repeals the date of any subsequent expenditures by that person for electioneering communications. Clarifies electioneering communication to include election advertisements sent by mail at any postal rate as electioneering communications; and requires electioneering communication shall not include communications that constitute actual expenditures by the expending organization. Defines person to not include a candidate or candidate committee. -- Requires that this Act to apply beginning with the 2022 primary election. -- SB0404 CD1

Committee Reports: SSCR 746 (JDC) HSCR 1432 (GVR) HSCR 1846 (JHA) CCR 61

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11-341

SB0405 SD1 HD1 CD1 (CCR 108)

RELATING TO CAMPAIGN CONTRIBUTIONS.

Introduced by: Kouchi R (BR)

Amends provisions relating to excess contribution; return; escheat. Requires any candidate, candidate committee, or noncandidate committee that receives in the aggregate more than the applicable contribution limit in provisions relating to contributions limited from nonresident persons to return any excess contribution to the contributor within 30 days of the end of the election period; provided that the candidate, candidate committee, or noncandidate committee may choose which contributions to return. -- SB0405 CD1

Committee Reports: SSCR 749 (JDC) HSCR 1085 (GVR) HSCR 1496 (JHA) HSCR 1825 (FIN) CCR 108

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11-364

SB0412 HD1 CD1 (CCR 25)

RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

Introduced by: Kouchi R (BR)

Amends provisions relating to refusal to submit to breath, blood, or urine test; subject to administrative revocation proceedings. Provides that if a person under arrest refuses to

SENATE BILLS THAT PASSED THE LEGISLATURE

submit to a breath, blood, or urine test, none shall be given, except as provided in provisions relating to applicable scope of part; mandatory testing in the event of a collision resulting in injury or death, or pursuant to a search warrant issued by a judge upon a finding of probable cause supported by oath or affirmation, or pursuant to any other basis permissible under the Constitution of the State of Hawaii and laws of this State. -- Amends provisions relating to chapter not applicable; when under criminal procedure deferred acceptance of guilty plea, nolo contendere plea. Exempts criminal procedure deferred acceptance of guilty plea, nolo contendere plea law to apply when the offense charged is habitually operating a vehicle under the influence of an intoxicant. -- SB0412 CD1

Committee Reports: SSCR 691 (JDC) HSCR 1338 (JHA) HSCR 1703 (FIN) CCR 25
Current Status: Apr-27 21 Passed Legislature
Section Affected: 291E-15, 853-4

SB0413 SD1 HD1 CD1 (CCR 15)

RELATING TO VIOLATION OF PRIVACY.

Introduced by: Kouchi R (BR)

Amends provisions relating to chapter not applicable; when under the criminal procedure deferred acceptance of guilty plea, nolo contendere plea law. Exempts violation of privacy in the 1st degree or violation of privacy in the 2nd degree under certain circumstances. -- SB0413 CD1

Committee Reports: SSCR 609 (JDC) HSCR 1719 (JHA) CCR 15
Current Status: Apr-27 21 Passed Legislature
Section Affected: 853-4

SB0474 SD1 HD2 CD1 (CCR 54)

RELATING TO REAL PROPERTY TRANSACTIONS.

Introduced by: Keith-Agaran G, English J, Gabbard M, Kanuha D, Lee C, Shimabukuro M

Amends provisions relating to notification required; ambiguity. Requires that when residential real property lies within the boundaries of a special flood hazard area as officially designated on flood maps promulgated by the National Flood Insurance Program of the Federal Emergency Management Agency for the purposes of determining eligibility for emergency flood insurance programs; within the boundaries of the noise exposure area shown on maps prepared by the department of transportation in accordance with Federal Aviation Regulation part 150, Airport Noise Compatibility Planning (14 C.F.R. part 150), for any public airport; within the boundaries of the Air Installation Compatible Use Zone of any Air Force, Army, Navy, or Marine Corps airport as officially designated by military authorities; within the anticipated inundation areas designated on the department of defense's emergency management tsunami inundation maps; or within the sea level rise exposure area as designated by the Hawaii climate change mitigation and adaptation commission or its successor, subject to the availability of maps that designate the 5 areas by tax map key (zone, section, parcel), the seller to include the material fact information in the disclosure statement provided to the buyer subject to this law. -- SB0474 CD1

Committee Reports: SSCR 255 (WTL) SSCR 739 (CPN/ JDC/) HSCR 1360 (WAL)
HSCR 1657 (CPC) CCR 54
Current Status: Apr-27 21 Passed Legislature
Section Affected: 508D-15

SB0489 HD1 CD1 (CCR 18)

RELATING TO AGRICULTURAL BUILDINGS.

Introduced by: Gabbard M, Chang S, Keith-Agaran G, Misalucha B, San Buenaventura J

Amends provisions relating to agricultural buildings and structures; exemptions from building permit and building code requirements. Increases the maximum square feet area from 20,000 to 60,000 square feet for agricultural shade cloth structures, cold frames, or greenhouses that are exempt from building permit and building code requirements. -- SB0489 CD1

Committee Reports: SSCR 272 (AEN/ PSM/) SSCR 621 (CPN) HSCR 1214 (AGR)
HSCR 1658 (CPC) CCR 18
Current Status: Apr-27 21 Passed Legislature
Section Affected: 46-88

SB0506 SD2 HD2 (HSCR 1857)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIAWA GENERAL HOSPITAL.

Introduced by: Dela Cruz D

Authorizes the issuance of special purpose revenue bonds, with the approval of the

SENATE BILLS THAT PASSED THE LEGISLATURE

governor, to assist Wahiawa General Hospital, a Hawaii nonprofit corporation, for debt consolidation, debt liquidation, or both, necessary to allow its continued operation preserving the health and safety of the central Oahu community and the State. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) (COVID-19, COVID 19, coronavirus) -- SB0506 HD2

Committee Reports: SSCR 136 (HTH) SSCR 636 (WAM) HSCR 1042 (HHH) HSCR 1465 (CPC) HSCR 1857 (FIN)

Current Status: Apr=27 21 Passed Legislature

SB0512 SD2 HD1 CD1 (CCR 20)

RELATING TO SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM INCENTIVES.

Introduced by: Dela Cruz D, Gabbard M, Keith-Agaran G, Keohokalole J, Kidani M, Lee C, Misalucha B, Nishihara C, Shimabukuro M

Amends provisions relating to Hawaii healthy food incentive program; rules. Requires participants in the Hawaii healthy food incentive program (double up food bucks program) who are beneficiaries of the supplemental nutrition assistance program to receive a dollar for dollar match to be used exclusively for the purchase of Hawaii grown fresh fruits and vegetables, or healthy proteins that are eligible for supplemental nutrition assistance as determined by the program, at a farmers' market, farm stand, mobile market, community supported agriculture site, grocery store, or other direct food retailer that participates in the supplemental nutrition assistance program (SNAP). (COVID-19, COVID 19, coronavirus) -- SB0512 CD1

Committee Reports: SSCR 69 (AEN) SSCR 579 (WAM) HSCR 978 (AGR) HSCR 1387 (HHH) HSCR 1830 (FIN) CCR 20

Current Status: Apr-27 21 Passed Legislature

Section Affected: 141-13

SB0516 SD1 HD2 CD1 (CCR 52)

RELATING TO EDUCATION.

Introduced by: Dela Cruz D, Keith-Agaran G, Kidani M, Lee C, Shimabukuro M

Establishes provisions relating to industry recognized credentials; data collection. Requires the state board for career and technical education to review annually the statewide data collection processes, reporting requirements, and business rules related to the student attainment of industry recognized credentials. Requires the board to ensure consistent data collection and transparent reporting across relevant state educational systems and agencies. Requires the board to provide an annual report to the governor and the legislature on students' attainment of industry recognized credentials. Report to the legislature. Requires all state data collection processes, reporting requirements, and business rules to support the collection of student level data to include data that is disaggregated specifically for Hawaii's population, including but not limited to disaggregated data for Native Hawaiians and Pacific Islanders, of industry recognized credential attainment. -- Amends Act 46, session laws of 2020, relating to access to learning, by requiring the department of education, the university of Hawaii, the department of labor and industrial relations, and other state agencies, as appropriate, shall share data through the statewide longitudinal data system to support research that will improve educational and workforce outcomes. Requires the statewide longitudinal data system to store and analyze career and technical education data it receives from all state educational systems and workforce training agencies pursuant to this provision to analyze the cross agency longitudinal education and workforce outcomes of students who attempted an educational course, training program, career program, postsecondary program, or other state supported workforce training program. -- SB0516 CD1

Committee Reports: SSCR 503 (EDU/ EET/) SSCR 958 (WAM) HSCR 1091 (EDN) HSCR 1456 (JHA) HSCR 1872 (FIN) CCR 52

Current Status: Apr-27 21 Passed Legislature

Section Affected: 304A- (1 SECTION), ACT 46 2020, 27-7

SB0538 HD1 CD1 (CCR 91)

RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION.

Introduced by: Rhoads K, San Buenaventura J

Amends provisions relating to programs and activities receiving state financial assistance. Prohibits a qualified individual in the State to, by reason of the individual's disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by state agencies, or under any program or activity receiving state financial assistance. Provides that program or activity receiving state financial assistance includes a program or activity that also receives federal and state financial assistance. -- Amends provisions relating to complaint against unlawful discrimination. Prohibits the Hawaii civil rights commission to have jurisdiction over claims in the scope of the

SENATE BILLS THAT PASSED THE LEGISLATURE

Individuals with Disabilities Education Act. -- SB0538 CD1
Committee Reports: SSCR 389 (HMS) SSCR 633 (JDC) HSCR 990 (LAT) HSCR
1457 (JHA) HSCR 1681 (FIN) CCR 91
Current Status: Apr-27 21 Passed Legislature
Section Affected: 368-1.5, 368-11

SB0540 SD1 HD2 (HSCR 1837)

RELATING TO EMERGENCY RULES.

Introduced by: Rhoads K

Amends provisions relating to misdemeanor by changing it to emergency period infractions, violations, petty misdemeanors, and misdemeanors under emergency management law. Provides that any person violating any rule of the governor or mayor prescribed and adopted pursuant to this law and having the force and effect of law shall, if it required to be so stated and designated in the rule, be guilty of a violation, petty misdemeanor, or misdemeanor. Allows the governor or mayor to state and designate the penalty applicable to the offense; provided that if a penalty is not stated and designated, the person shall be sentenced in accordance with the disposition convicted defendant law; provided further that if both the offense and penalty are not stated and designated in the rule, the person shall be guilty of a misdemeanor and upon conviction, the person shall be fined not more than 2,000 dollars, imprisoned not more than 1 year, or both. -- Amends the adjudication of traffic infractions law by changing it to adjudication of infractions law. -- Amends provisions relating to definitions. Defines emergency period infraction to mean all occurrences of non compliance with rules adopted by the governor or a mayor pursuant to emergency management law, which are stated and designated in the rule as being an emergency period infraction. Redefines concurrent trial to include infraction or emergency period infraction. Redefines hearing to include notice of emergency period infraction. Redefines related criminal offense to include emergency period infraction. -- Amends provisions relating to applicability; and provisions relating to venue and jurisdiction under adjudication of traffic infractions law. Adds emergency period interactions. -- Amends provisions relating to notice of traffic infraction; form; determination final unless contested by changing it to notice of infraction; form; determination final unless contested. Adds the notice of emergency period infraction. Provides that whenever a notice of traffic infraction or notice of emergency period infraction is issued to include the person's state identification number, and electronic mail address. -- Amends provisions relating to answer required. Adds notice of emergency period infraction. -- Amends provisions relating to court action after answer or failure to answer. Adds emergency period infraction and notice of emergency period infraction. Provides that an electronic copy of the notice of hearing; entry of judgement; and entry of default judgement may be sent to the electronic mail address stated on the notice of infraction. -- Amends provisions relating to hearings. Adds notice of emergency period infraction and emergency period infraction. -- Amends provisions relating to powers of the district court judge sitting in the traffic division by changing it to powers of the district court judge sitting in the traffic and emergency period division. Adds notice of emergency period infraction. -- Amends provisions relating to trial and concurrent trial; and provisions relating to rules. Adds notice of emergency period infraction. -- Amends provisions relating to procedure in children's cases under family court law. Allows the judge to hear and dispose of cases of violation to include emergency period rules by children. (COVID-19, COVID 19, coronavirus) -- SB0540 HD2

Committee Reports: SSCR 291 (JDC) HSCR 1352 (PDP) HSCR 1837 (JHA)

Current Status: Apr-20 21 Received by the Governor

Section Affected: 127A-29, 291D-1, 291D-2, 291D-3, 291D-4, 291D-5, 291D-6,
291D-7, 291D-8, 291D-9, 291D-12, 291D-13, 291D-14, 571-41,
286-109, 286-245, 287-3, 291C-225, 431:10C-117

SB0548 SD1 HD2 CD1 (CCR 143)

RELATING TO ELECTIONS BY MAIL.

Introduced by: Rhoads K

Amends provisions relating to elections, generally law. Establishes provisions relating to minimum number of precincts; statewide voters with special needs advisory committee; county voters with special needs advisory committees; eligible voter notification. -- Amends provisions relating to definitions under elections, generally law; application to register; late registration by changing the title to same day in person registration; removal of names from register, when; reregistration; change of name, transfer on election day; changing register; correction of errors; changing register; striking names of disqualified voters; closing register; challenge by voters; grounds; procedure; appeal from ruling on challenge; or failure of clerk to act; proclamation; election proclamation; voter service centers and places of deposit; changes to district

SENATE BILLS THAT PASSED THE LEGISLATURE

boundaries by changing the title to election proclamation; establishment of a new precinct; voter service centers and places of deposit; changes to precinct boundaries; natural disasters; postponement; consolidation of districts; special elections; elections eligible to be conducted by mail; procedures for conducting elections by mail; ballot instructions; ballot return; replacement ballots; deficient return identification envelopes; electronic transmission under certain circumstances; counting of mail in ballots; validity; ballots included in recounts; certification of final tabulation; voter service centers; places of deposit; withdrawal of candidates; disqualification; death; notice; voter service center hours; 200 foot radius; time allowed voters; more or fewer ballots than recorded; certification of results of election; contests for cause; generally; contests for cause in general, special general, special, and runoff elections; who may vote by absentee ballot; voting by mail in district affected by natural disasters by changing the title to voting by mail in precinct affected by natural disasters; delivery of ballots; return and receipt of absentee ballots by changing the title to return, receipt, processing, and treatment of absentee ballots; voting by absentee voter at polls prohibited; eligibility of voter after absentee ballot cast; receipt of voted ballot; paper ballot; voting; questionable ballots; number of blank and questionable ballots; record of; declaration of results; misdemeanors. -- Amends provisions relating to Hawaii paroling authority; responsibilities and duties; operations; records, reports, staff. Requires the department of public safety and the Hawaii paroling authority to inform individuals on parole or probation of their right to vote and provide them with voting information. -- Repeals provisions relating to capital equipment. -- Amends various statutory provisions to clarify and improve the administration of elections by mail. Establishes voters with special needs advisory committees at the state and county levels. Requires the office of elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers. -- SB0548 CD1

Committee Reports: SSCR 591 (JDC) HSCR 1340 (JHA) HSCR 1867 (FIN) CCR 143

Current Status: Apr-27 21 Passed Legislature

Section Affected: 11- (3 SECTIONS), 353C- (1 SECTION), 11-1, 11-15, 11-15.2, 11-17, 11-21, 11-22, 11-23, 11-24, 11-25, 11-26, 11-91, 11-92.1, 11-92.3, 11-101, 11-102, 11-104, 11-105, 11-106, 11-107, 11-108, 11-109, 11-117, 11-131, 11-132, 11-138, 11-153, 11-155, 11-172, 11-174.5, 15-2, 15-2.5, 15-5, 15-9, 15-11, 15-13.5, 15D-10, 16-23, 16-26, 16-27, 16-28, 19-6, 353-62, 11-181

SB0589 SD2 HD2 CD1 (CCR 87)

RELATING TO THE UNIVERSITY OF HAWAII.

Introduced by: Kim D, Dela Cruz D, Fevella K, Inouye L, Kanuha D, Keith-Agaran G, Misalucha B

Establishes provisions relating to the cancer research center of Hawaii. Establishes an organized research unit, hereinafter known as the cancer research center of Hawaii, to conduct cancer research. Requires the cancer research center of Hawaii to be administered by a director to be appointed by the board of regents upon recommendation by the provost of the university of Hawaii at Manoa with the concurrence by the president of the university of Hawaii. Requires the cancer research center of Hawaii to be administratively affiliated with the university of Hawaii John A. Burns school of medicine. Requires the administrative services and infrastructure teams of the cancer research center of Hawaii and the university of Hawaii John A. Burns school of medicine to be merged for efficiency purposes. Requires the director of the cancer research center of Hawaii and dean of the university of Hawaii John A. Burns school of medicine to report and be accountable to the provost of the university of Hawaii at Manoa; and coordinate with the president of the university of Hawaii. Requires the provost of the university of Hawaii to have authority to direct and achieve efficiencies at the university of Hawaii John A. Burns school of medicine and cancer research center of Hawaii. Requires the programs of the university of Hawaii John A. Burns school of medicine and cancer research center of Hawaii, and the university of Hawaii at Manoa to identify opportunities to capitalize on collaboration between the programs; and maximize operational efficiencies between the university of Hawaii John A. Burns school of medicine and cancer research center of Hawaii, including but not limited to shared services and personnel whenever feasible and utilization of centralized services available through the university of Hawaii at Manoa whenever appropriate. Requires the cancer research center of Hawaii's research agenda to focus on research, education, patient care, and community outreach and reflect an understanding of the ethnic, cultural, and environmental characteristics of the State and the Pacific region. Allows the cancer research center of Hawaii to engage in international research collaborations; undertake research studies and clinical trials; and participate in projects and programs of the

SENATE BILLS THAT PASSED THE LEGISLATURE

National Cancer Institute. -- Amends provisions relating to university of Hawaii tuition and fees special fund. Provides that funds expended from or originating from the university of Hawaii tuition and fees special fund for the school of medicine or the cancer research center of Hawaii shall be used by the school of medicine or the cancer research center of Hawaii for educational purposes only. -- Amends provisions relating to research and training revolving fund. Provides that funds expended from or originating from the research and training revolving fund for the school of medicine or the cancer research center of Hawaii shall be used by the school of medicine or the cancer research center of Hawaii for research and research related purposes only. -- Requires the university of Hawaii to develop and implement a plan for the university of Hawaii John A. Burns school of medicine and cancer research center of Hawaii to achieve greater operational efficiencies, reduce duplication of services, and share administrative functions to the maximum extent practicable. Report to the legislature. -- Amends provisions relating to the university of Hawaii; technology transfer activities; exemption. Provides that notwithstanding this provision, the university of Hawaii shall not sponsor, enter into, or continue to engage in technology transfer activities with a private person in which an employee of the university of Hawaii has a conflict of interest, including a financial interest, irrespective of whether the State benefits from the technology transfer activities. Provides exemptions. -- Amends provisions relating to technology transfer; reporting. Requires the board of regents of the university of Hawaii shall submit a written report to the legislature no later than twenty days prior to the convening of each regular session regarding a disclosure, including the university of Hawaii's conflict of interest management plan, of any conflict of interest of any employee of the university of Hawaii relating to its technology transfer activities. Report to the legislature. -- Amends Act 38, session laws of 2017, relating to technology transfer at the university of Hawaii, by extending the sunset date to June 30, 2024 (sunset). -- Amends provisions relating to construction of subpart. Provides that notwithstanding this provision, the university of Hawaii shall not sponsor, enter into, or continue to engage in activities conducted pursuant to this provision with a private person in which an employee of the university of Hawaii has a conflict of interest, including a financial interest, irrespective of whether the State benefits from the activities. Provides exemptions. -- Amends provisions relating to biennial report. Provides that no later than twenty days prior to the convening of the regular session of each odd numbered year, the university of Hawaii shall submit a report to the legislature concerning a disclosure, including its conflict of interest management plan, of all conflicts of interest of any employee relating to its activities conducted pursuant to provisions relating to the innovation and commercialization initiative program. -- Amends Act 39, session laws of 2017, relating to university of Hawaii research, by extending the sunset date to June 30, 2024 (sunset). -- Amends Act 42, session laws of 2018, relating to procurement for the university of Hawaii, by extending the sunset and reenactment date to June 30, 2024 (sunset). -- Repeals and reenacts specific sections on June 30, 2024 (sunset). -- SB0589 CD1

Committee Reports: SSCR 505 (HRE) SSCR 785 (WAM) HSCR 1047 (HHH) HSCR 1492 (HET) HSCR 1678 (FIN) CCR 87

Current Status: Apr-27 21 Passed Legislature

Section Affected: 304A- (1 SECTION) CANCER RESEARCH CENTER OF HAWAII, 304A-2153, 304A-2253, 84-10, 304A-121, ACT 38 2017, 304A-1958, 304A-1959, ACT 39 2017, ACT 42 2018, 103D-203, 304A-2672

SB0599 SD1 HD1 CD1 (CCR 137)

RELATING TO MASSAGE THERAPISTS.

Introduced by: Baker R, Chang S, Keith-Agaran G, Misalucha B

Amends provisions relating to renewal of license; fees by changing the title to renewal of license; fees; continuing education. Allows massage therapist and massage therapy licenses to be renewed by filing an application therefor, accompanied by a renewal fee and submitting proof of compliance with the continuing education requirements established by these provisions. Allows any license so forfeited to be restored within 1 year after expiration upon the filing of an application in the same manner, submitting proof of compliance with the continuing education requirements established by these provisions, and payment of a penalty fee in addition to all delinquent fees. Requires massage therapy licenses, beginning with the renewal for the licensing biennium commencing on July 1, 2024, and every biennial renewal thereafter, each licensee is to submit proof of completing 12 hours of continuing education within the 2 year period preceding the renewal date, 2 hours of which shall include 1st aid, cardiopulmonary resuscitation, or emergency related courses. Requires board of massage therapy to adopt rules relating to the requirements and standards that continuing education

SENATE BILLS THAT PASSED THE LEGISLATURE

programs shall meet to obtain recognition and approval from the board. Allows the board to conduct random audits of licensees to determine compliance with the continuing education requirements. -- SB0599 CD1

Committee Reports: SSCR 148 (HTH) SSCR 620 (CPN) HSCR 1397 (CPC) HSCR 1693 (FIN) CCR 137

Current Status: Apr-27 21 Passed Legislature

Section Affected: 452-16

SB0615 SD1 HD2 CD1 (CCR 67)

RELATING TO RENTALS OF MOPEDS AND MOTOR SCOOTERS.

Introduced by: Baker R, Chang S, Misalucha B, Rhoads K

Establishes provisions relating to leased or rented moped or motor scooter; flag required. Provides that no person shall lease or rent a moped or motor scooter to another person unless the moped or motor scooter is equipped with a safety flag requirements as specified. -- Amends provisions relating to motorcycle, motor scooter, etc.; protective devices by changing it to motorcycle, motor scooter, moped, etc.; protective devices. Prohibits a person to operate a moped or motor scooter leased from a rental company on any roadway in the state unless the person wears a safety helmet provided by the rental company unless the person provides the person's own safety helmet; provided that this subsection shall not apply only to persons who do not possess a valid license to operate a motorcycle or an equivalent valid license issued from another state to operate a motorcycle. Requires the safety helmet to meet the specifications and requirements established by rules adopted by the director of transportation. -- Amends provisions relating to modifying moped motor; violation. Prohibits a person to rent or lease to another person any moped or motor scooter that has an aftermarket modification to the motor of the moped or motor scooter. -- SB0615 CD1

Committee Reports: SSCR 128 (TRS) SSCR 619 (CPN) HSCR 1036 (TRN) HSCR 1468 (CPC) HSCR 1847 (JHA) CCR 67

Current Status: Apr-27 21 Passed Legislature

Section Affected: 286- (1 SECTION), 286-2, 286-81, 291C-1, 291C-195, 291C-206

SB0628 SD2 HD2 CD1 (CCR 182)

RELATING TO THE TRANSITION OF THE OAHU REGIONAL HEALTH CARE SYSTEM FROM THE HAWAII HEALTH SYSTEMS CORPORATION INTO THE DEPARTMENT OF HEALTH.

Introduced by: Baker R

Amends provisions relating to Hawaii health systems corporation law. Decreases the 5 regional systems to 4 regional systems and repeals the Oahu regional health care system. -- Amends provisions relating to corporation board. Decreases the corporation member from 18 member to 15 member board; the 5 regional chief executive officers as ex officio, nonvoting members to 4; and repeals 2 members who reside on the island of Oahu. Provides that upon completion of the transition of the Oahu regional health care system into the department of health, the corporation board shall have no legal relationship with the Oahu regional health care system or its facilities. -- Amends provisions relating to transition of Hawaii health systems regional system or health facility to a new entity. Provides that any of the regional systems or individual facilities of the Hawaii health systems corporation is hereby authorized to transition into a new legal entity in any form recognized under the laws of the State, including but not limited to a division or branch under a state executive department; provided in which case real property shall transfer in its then existing state, whether in lease, fee, or otherwise, to the department of land and natural resources. Establishes the Leahi hospital and Maluhia law. Allows the department of health to conduct long term care and substance abuse treatment at Leahi hospital and Maluhia; pay rent to the university of Hawaii for the use of the Leahi hospital property, at a rate and on terms to be negotiated between the department of health and the university of Hawaii; use moneys from the mental health and substance abuse special fund established to fund the department's operations at Leahi hospital and Maluhia; develop and implement its own policies, procedures, and rules necessary or appropriate to plan, operate, manage, and control Leahi hospital and Maluhia without regard to administrative procedure law; enter into and perform any contract, lease, cooperative agreement, partnership, or other transaction that may be necessary or appropriate in the performance of its purposes and responsibilities, and on terms the department may deem appropriate as specified; conduct activities and enter into business relationships the department deems necessary or appropriate as specified; make and alter facility bylaws and rules for the organization and management of Leahi hospital and Maluhia without regard to administrative procedure law; contract for and accept any gifts, grants, and loans of funds or property, or any other aid in any form from the federal government, the State, any state agency, or any other source, or any

SENATE BILLS THAT PASSED THE LEGISLATURE

combination thereof, and in compliance with the terms and conditions thereof; provide health and medical services to the public directly or by agreement or lease with any person, firm, or private or public corporation, partnership, or association through or in Leahi hospital and Maluhia or otherwise; and approve medical staff bylaws, rules, and medical staff appointments and reappointments for Leahi hospital and Maluhia, including but not limited to determining the conditions under which a health professional may be extended the privilege of practicing within Leahi hospital or Maluhia, as determined by the department or facility management, and adopting and implementing reasonable rules, for the credentialing and peer review of all persons and health professionals within the facility; provided that the department or facility management shall be the governing body responsible for all medical staff organization, peer review, and credentialing activities to the extent allowed by law. Requires the department of health to regularly consult and coordinate with the university of Hawaii regarding services provided at Leahi hospital and Maluhia and with the university of Hawaii students to rotate through the facilities for training purposes. -- Provides that no planned substantial reduction or elimination of direct patient care services at Leahi hospital or Maluhia shall be undertaken unless all of the specified requirements are met. -- Requires the budget of the Oahu regional health care system to be transferred from the Hawaii health systems corporation to the department of health as specified. Requires the Oahu regional board to, through the Oahu regional board chair, facilitate the transition of the Oahu region into the department of health as part of the working group established and effectuate the assignment of all contracts and agreements in which the Oahu region is a party to the department of health. Provides that notwithstanding any law to the contrary, the terms of the regional chief executive officer of the Oahu regional health care system; and the 2 board members residing on the island of Oahu appointed members of the board of directors of the Hawaii health systems corporation shall expire on December 31, 2022 (sunset). Establishes transition planning period to commence on July 1, 2021 and completion of the transition of the Oahu regional health care system into the department of health no later than December 31, 2022. -- Establishes the Oahu regional system board duties and responsibilities as specified. -- Establishes a working group to develop, evaluate, and implement any additional steps necessary to complete the transition of the Oahu regional health care system into the department of health. Establishes the working group composition. Requires the working group to develop a comprehensive business plan and transfer framework to govern and manage the additional steps necessary to complete the transfer of the Oahu region into the department of health. Requires members of the working group to serve without compensation but shall be reimbursed for reasonable expenses necessary for the performance of their duties, including travel expenses. Exempts members of the working group to be subject to standards of conduct law solely because of the member's participation in the working group. Reports to the legislature. Requires the working group to be dissolved on December 31, 2022 (sunset), or upon completion of the transition of the Oahu regional health care system into the department of health, whichever is 1st. Requires certain transition actions to be subject to specified conditions. Appropriation out of the mental health and substance abuse special fund to the department of health for the operations of Leahi hospital and Maluhia. Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021 to the department of health for the transfer of the Oahu regional health care system in its entirety from the Hawaii health systems corporation to the department of health. (\$\$) -- SB0628 CD1

Committee Reports: SSCR 222 (HTH) SSCR 909 (CPN/ WAM/) HSCR 1087 (HHH)
HSCR 1366 (LAT) HSCR 1856 (FIN) CCR 182

Current Status: Apr-27 21 Passed Legislature

Section Affected: 323F-2, 323F-3, 323F-7.6, 321- (3 SECTIONS) LEAHI
HOSPITAL AND MALUHIA

SB0630 SD1 HD1 CD1 (CCR 95)

RELATING TO CHILD SUPPORT ENFORCEMENT.

Introduced by: Keith-Agaran G, Rhoads K, San Buenaventura J

Amends provisions relating to judgments for support. Provides that notwithstanding domestic judgments and decrees and any other law to the contrary, every judgment for child support, including a judgment for reimbursement or other arrears, to be enforceable until paid in full. -- SB0630 CD1

Committee Reports: SSCR 596 (JDC) HSCR 1341 (JHA) HSCR 1705 (FIN) CCR 95

Current Status: Apr-27 21 Passed Legislature

Section Affected: 657-5.5

SB0639 SD1 HD1 CD1 (CCR 73)

RELATING TO COURTS OF APPEAL.

SENATE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Keith-Agaran G

Establishes provisions relating to sua sponte decisions. Prohibits the supreme court, when acting on a matter on appeal, to affirm, modify, reverse, or vacate a matter on grounds other than those raised by the parties to the proceeding, unless the parties are provided the opportunity to brief the court. Provides that if the court fails to afford that opportunity for the parties to submit supplemental briefing, a rehearing shall be ordered upon timely petition of any party. -- Establishes provisions relating to sua sponte decisions. Prohibits the intermediate appellate court to affirm, modify, reverse, or vacate a matter on grounds other than those raised by the parties to the proceeding, unless the parties are provided the opportunity to brief the court. Provides that if the court fails to afford that opportunity for the parties to submit supplemental briefing, a rehearing shall be ordered upon timely petition of any party. -- SB0639 CD1

Committee Reports: SSCR 701 (JDC) HSCR 1720 (JHA) CCR 73

Current Status: Apr-27 21 Passed Legislature

Section Affected: 602- (1 SECTION), 602- (1 SECTION)

SB0651 SD1 HD1 (HSCR 1369)

RELATING TO RENAMING KAHULUI AIRPORT ACCESS ROAD.

Introduced by: Keith-Agaran G, English J, Inouye L, Lee C

Provides that route 3800, known as the Kahului airport access road, on the island of Maui to be renamed the Mayor Elmer F. Cravalho Way. -- SB0651 HD1

Committee Reports: SSCR 84 (TRS) SSCR 925 (WAM) HSCR 1369 (TRN) HSCR 1805 (JHA)

Current Status: Apr-20 21 Received by the Governor

SB0664 SD1 HD2 CD1 (CCR 139)

RELATING TO PUBLIC SAFETY.

Introduced by: Dela Cruz D, Kim D, Misalucha B

Requires that there is appropriated out of the general revenues of the State of Hawaii the sum of 330,000 dollars or so much thereof as may be necessary for fiscal year 2021-2022 and the same sum or so much thereof as may be necessary for fiscal year 2022-2023 for an oversight coordinator position and necessary support staff positions for the Hawaii correctional system oversight commission, as authorized by provision oversight coordinator; appointment; term, Hawaii Revised Statutes. (\$\$) -- SB0664 CD1

Committee Reports: SSCR 244 (PSM) SSCR 725 (JDC) HSCR 1095 (CMV) HSCR 1498 (JHA) HSCR 1668 (FIN) CCR 139

Current Status: Apr-27 21 Passed Legislature

SB0696 SD1 HD1 CD1 (CCR 51)

RELATING TO THE FESTIVAL OF PACIFIC ARTS.

Introduced by: English J, Gabbard M, Ihara L, Kanuha D, Keith-Agaran G, Kidani M, Lee C, Moriwaki S, Riviere G, Shimabukuro M, Wakai G

Amends Act 104, session laws of 2017, which establishes the temporary commission on the 13th festival of pacific arts within the department of business, economic development, and tourism, by extending the sunset date of the commission to August 31, 2025 (sunset). Allows less than a quorum of members of the temporary commission on the 13th festival of pacific arts to discuss matters relating to official board business outside of a properly noticed public meeting in the course of planning the festival, and those discussions shall be a permitted interaction under provisions relating to permitted interactions of members; provided that the commission shall hold a public meeting noticed pursuant to provisions relating to public agency meetings and records law at least once a month, at which time it shall report its progress in the matters discussed outside a meeting pursuant to this provision. (COVID-19, COVID 19, coronavirus) -- SB0696 CD1

Committee Reports: SSCR 197 (HWN) SSCR 635 (JDC) HSCR 1375 (CAI) HSCR 1662 (FIN) CCR 51

Current Status: Apr-27 21 Passed Legislature

Section Affected: ACT 104 2017

SB0697 SD1 HD2 CD1 (CCR 97)

RELATING TO KALAUPAPA MONTH.

Introduced by: English J, Baker R, Fevella K, Keith-Agaran G, Keohokalole J, Kidani M, Misalucha B, Moriwaki S, Riviere G, San Buenaventura J, Shimabukuro M

Establishes provisions relating to Kalaupapa Month. Designates the month of January to be known as Kalaupapa Month; provided that this month is not and shall not be construed as a state holiday. -- SB0697 CD1

Committee Reports: SSCR 757 (JDC) HSCR 1051 (CAI) HSCR 1439 (JHA) HSCR 1663 (FIN) CCR 97

Current Status: Apr-27 21 Passed Legislature

Section Affected: 8- (1 SECTION) KALAUPAPA MONTH

SENATE BILLS THAT PASSED THE LEGISLATURE

- SB0714 SD1 HD3 (HSCR 1866) RELATING TO PUBLICITY RIGHTS.
Introduced by: English J, Chang S, Ihara L, Keith-Agaran G, Misalucha B
Amends provisions relating to property right in use of name, voice, signature, or likeness. Requires the right to be deemed to have existed before the enactment of this law, including at and after the time of death of any deceased individual or deceased personality, and shall continue to exist for a fixed period of time after death, as prescribed in provisions relating to right is exclusive for individuals and personalities. Provides that this law is intended to apply to all individuals and personalities, living and deceased, including those who died before the enactment of this law, regardless of place of domicile or place of domicile at time of death. -- SB0714 HD3
Committee Reports: SSCR 595 (JDC) HSCR 983 (ECD) HSCR 1485 (CPC) HSCR 1866 (JHA)
Current Status: Apr-21 21 Received by the Governor
Section Affected: 482P-1, 482P-2
- SB0764 SD1 HD1 CD1 (CCR 47) RELATING TO HUMAN TRAFFICKING.
Introduced by: Lee C, Acasio L, Baker R, Chang S, Fevella K, Gabbard M, Keith-Agaran G, Keohokalole J, Kim D, Misalucha B, Rhoads K, Shimabukuro M
Amends provision relating to disqualification, cancellation, and downgrade under human trafficking law. Requires the examiner of drivers to disqualify any person from driving a commercial motor vehicle for a period of no less than 1 year if convicted of a 1st violation of the following restrictions as specified. Sets additional restrictions. Adds that the examiner of drivers to permanently disqualify any person from driving a commercial motor vehicle for life without the possibility of reinstatement, if the person uses a commercial motor vehicle in the commission of any felony involving severe forms of trafficking in persons. -- SB0764 CD1
Committee Reports: SSCR 114 (CPN) SSCR 683 (JDC) HSCR 1395 (CPC) HSCR 1792 (JHA) CCR 47
Current Status: Apr-27 21 Passed Legislature
Section Affected: 286-240
- SB0765 SD2 HD2 CD1 (CCR 128) RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.
Introduced by: Lee C, Acasio L, Baker R, Chang S, Fevella K, Gabbard M, Keith-Agaran G, Keohokalole J, Kim D, Misalucha B, Rhoads K, Shimabukuro M
Amends provisions relating to the use of intoxicants while operating a vehicle law. Defines highly intoxicated driver to mean a person whose measurable amount of alcohol is .15 or more grams of alcohol per 100 milliliters or cubic centimeters of the person's blood; or .15 or more grams of alcohol per 210 liters of the person's breath. -- Amends provisions relating to evidence of intoxication. Provides that in any criminal prosecution for a violation of operating a vehicle under the influence of an intoxicant provision or in any proceeding under the following provision, a highly intoxicated driver within 3 hours after the time of the alleged violation as shown by chemical analysis or other approved analytical techniques of the person's blood or breath to be competent evidence that the person was a highly intoxicated driver at the time of the alleged violation. -- Amends provisions relating to administrative hearing; procedure; decision. Repeals provisions that requires the director to conduct the hearing and have authority to impose up to the maximum license revocation period as specified under provisions relating to application for registration; full faith and credit to current certificates; this part not applicable to certain equipment. -- Amends provisions relating to effective date, conditions, and period of administrative revocation; criteria. Requires the respondent to keep an ignition interlock device installed and operating in all vehicles operated by the respondent during the revocation period. Requires the periods of administrative revocation, with respect to a license to operate a vehicle, to be imposed under this provision are as specified. -- Amends provisions relating to operating a vehicle under the influence of an intoxicant. Requires a person committing the offense of operating a vehicle under the influence of an intoxicant to be sentenced without possibility of probation or suspension of sentence as specified. Establishes fines and specifies education and counseling or other comparable program requirements. -- Amends provisions relating to habitually operating a vehicle under the influence of an intoxicant. Requires a person who commits the offense of habitually operating a vehicle under the influence of an intoxicant if, as specified. Makes it a class C felony. Establishes fines and a referral to a certified substance abuse counselor. -- SB0765 CD1
Committee Reports: SSCR 411 (PSM) SSCR 767 (JDC) HSCR 1472 (JHA) HSCR 1868 (FIN) CCR 128

SENATE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-27 21 Passed Legislature
Section Affected: 291E-1, 291E-3, 291E-38, 291E-41, 291E-61, 291E-61.5

SB0766 HD1 CD1 (CCR 49)

RELATING TO MOTOR CARRIER PENALTIES.

Introduced by: Lee C, English J, Keith-Agaran G, Keohokalole J, Misalucha B
Amends provisions relating to unlawful operation under motor carrier law. Provides that any motor carrier or lessor, or any officer, agent, employee, or representative, who fails or refuses to comply with any provision of this law, or any rule, requirement, or order may be assessed a civil penalty for an amount to be determined by the public utility commission subject to the provisions payable to the State in a sum to include up to 5,000 dollars for each 4th or subsequent violation within 1 calendar year. -- SB0766 CD1
Committee Reports: SSCR 181 (TRS) SSCR 618 (CPN) HSCR 1484 (CPC) HSCR 1694 (FIN) CCR 49

Current Status: Apr-27 21 Passed Legislature
Section Affected: 271-27

SB0772 SD2 HD2 CD1 (CCR 102)

RELATING TO TRANSPORTATION.

Introduced by: Lee C, Gabbard M
Establishes provisions relating to special number plates for environmental conservation; authorized. Requires the director of finance to issue to any registered owner of a motor vehicle, who is a resident of the State and has completed the application and paid the required fees, special number plates that commemorate the importance of environmental conservation, for the registered owner's motor vehicle. Requires the director of finance of the city and county of Honolulu to establish a special number plate design. Requires the director of finance of the city and county of Honolulu to consult with the directors of finance of the counties of Kauai, Maui, and Hawaii; the chiefs of police of the city and county of Honolulu and the counties of Kauai, Maui, and Hawaii; and the chairperson of the board of land and natural resources in establishing the special number plate design. Requires the director of finance to charge a special number plate fee at least equal to the county's cost of providing the special number plate and administrative costs, if any, plus a fundraising fee to be set by the department of land and natural resources. Requires the fundraising fee established by this provision to be in addition to any other state or county fees collected for a motor vehicle registration or license plates. Requires the revenue generated by the fundraising fees established pursuant to this provision to be deposited into the conservation and resources enforcement special fund. Allows the director of finance to revoke all special number plates issued pursuant to this provision if the total number of registered owners of motor vehicles that obtain the special number plates is less than 150 within 3 years of issuance of the 1st special number plate. -- Amends provisions relating to special number plates. Increases fee for special number plates from 25 dollars to 60 dollars upon initial application and renewal of the vehicle registration. -- SB0772 CD1

Committee Reports: SSCR 86 (TRS) SSCR 404 (WAM) HSCR 1221 (WAL) HSCR 1831 (FIN) CCR 102

Current Status: Apr-27 21 Passed Legislature
Section Affected: 249- (1 SECTION), 199-1.5, 249-9.1

SB0791 SD2 HD1 CD1 (CCR 98)

RELATING TO VESSELS.

Introduced by: Moriwaki S, Chang S, Fevella K, Riviere G
Amends provisions relating to mooring of unauthorized vessel in state small boat harbors and offshore mooring areas by changing it to unauthorized vessels; impoundment and disposal proceedings. Requires a vessel moored without a valid use permit, moored with a use permit that has expired or been terminated or moored, anchored, or stored in waters of the State in violation of any law or rule of the department of land and natural resources is to be deemed an unauthorized vessel in violation of this provision and shall be subject to impoundment and disposal. Requires the vessel to be removed within 72 hours of the time that the notice was posted on the vessel if the vessel is in imminent danger of breaking up or poses a hazard to public health or safety. Allows an unauthorized vessel to be impounded by the department at the expense of the owner of the vessel. Requires all owners of unauthorized vessels that are impounded by the department to be responsible for paying impound storage fees to the department while the vessel remains impounded and until the time that the vessel is returned to the custody of a person entitled to possession. Requires impound storage fees to be equal to the rate set by the department for vessels moored without a valid permit. Establishes procedure and criteria for process of release of vessel, administrative hearing process, and payment of fines. -- Amends provisions relating to disposition of certain abandoned

SENATE BILLS THAT PASSED THE LEGISLATURE

vessels by changing its title to abandonment of vessels. Prohibits a person to abandon any vessel in the waters of the State or upon any property, other than the property of the vessel owner, without the consent of the property owner. Requires that a vessel is to be presumed abandoned if the vessel does not have a valid registration certificate or US Coast Guard documentation and has been moored, anchored, or otherwise left in the waters of the State or in public property unattended for more than 72 hours. Makes abandonment of vessel a petty misdemeanor and establishes fine. -- Amends provisions relating to notice to owner. Establishes process for return of custody of vessel to owner. Amends provisions relating to public auction by adding disposition of abandoned vessels to title. Implements procedure for abandoned vessels. -- Repeals provisions relating to when public auction not required. -- SB0791 CD1

Committee Reports: SSCR 568 (WTL) SSCR 911 (WAM/ JDC/) HSCR 1003 (WAL) HSCR 1440 (JHA) HSCR 1711 (FIN) CCR 98

Current Status: Apr-27 21 Passed Legislature

Section Affected: 200-16, 200-41, 200-42, 200-43, 200-47.5, 200-49, 200-45

SB0793 SD1 HD1 CD1 (CCR 75)

RELATING TO THE MINIMUM WAGE.

Introduced by: Moriwaki S, Chang S, English J, Fevella K, Kanuha D, Lee C, Misalucha B, Riviere G, San Buenaventura J, Taniguchi B

Amends provisions relating to definitions under preferences. Redefines qualified community rehabilitation program by repealing the provision that a nonprofit community rehabilitation program for persons with disabilities holds a current certificate from the US Department of Labor pursuant to the Fair Labor Standards Act, Title 29 US Code section 214(c), and is certified by the state department of labor and industrial relations and applicable administrative rules relating to the employment of persons with disabilities. Redefines qualified community rehabilitation program to include a nonprofit community rehabilitation program for individuals with disabilities that maintains a disabled to non disabled employee ratio equal to or greater than 1 to 3 at all times; provides that to ensure integrated employment of individuals with disabilities, this 1 to 3 ratio is to include all levels of employment, management, and sub contracting. -- Amends provisions relating to special minimum wages for learners; apprentices; full-time students; paroled wards of Hawaii youth correctional facility; handicapped workers by changing the title to special minimum wages for learners; apprentices; full-time students; paroled wards of Hawaii youth correctional facility. Repeals provision that allows the director, by rule, to provide for the employment of individuals whose earning capacity is impaired by old age or physical or mental deficiency or injury, under special certificates issued by the director, at such wages lower than the applicable minimum wage and for such period as shall be fixed in the certificates. -- SB0793 CD1

Committee Reports: SSCR 476 (LCA/ HMS/) SSCR 959 (WAM) HSCR 1211 (LAT) HSCR 1833 (FIN) CCR 75

Current Status: Apr-27 21 Passed Legislature

Section Affected: 103D-1001, 387-9

SB0795 SD2 HD1 (HSCR 1363)

RELATING TO STATE SMALL BOAT HARBOR FEES.

Introduced by: Moriwaki S, Chang S, Dela Cruz D, Misalucha B

Amends provisions relating to permits and fees for the state small boat harbors; permit transfers. Changes the criteria for calculating the state small boat harbor fees to be collected by the division of boating and ocean recreation of the department of land and natural resources. Requires all fees established by appraisal pursuant to this provision to be set at fair market value. (COVID-19, COVID 19, coronavirus). -- SB0795 HD1

Committee Reports: SSCR 569 (WTL) SSCR 705 (WAM) HSCR 1363 (WAL) HSCR 1712 (FIN)

Current Status: Apr-20 21 Received by the Governor

Section Affected: 200-10

SB0806 HD1 CD1 (CCR 58)

RELATING TO PUBLIC SCHOOL LANDS.

Introduced by: Kidani M, Keith-Agaran G, Wakai G

Requires the attorney general of the State of Hawaii, on behalf of the department of education, to institute proceedings to acquire by voluntary action or by condemnation with existing improvements thereon pursuant to eminent domain law; the portion of the parcel of land owned by the Mililani Town Association identified as lot 2755-C on land court map 325, which constitutes a portion of tax map key 9-5-001:83; and the portion of the parcel of land owned by the Mililani Town Association that fronts Mililani high school and is identified as lot 5392-B on the city and county of Honolulu department of planning and permitting subdivision approval dated November 22, 2019, which constitutes a portion

SENATE BILLS THAT PASSED THE LEGISLATURE

of tax map key 9-5-001:017. Requires the attorney general, on behalf of the department of education, to acquire or take the property described in this Act in its existing condition, and shall provide for the indemnification of the Mililani Town Association for all claims and liabilities against the Mililani Town Association that may arise concerning the physical, environmental, soil, economic, and legal conditions of the property, from the effective date of this Act until the voluntary action or the condemnation process is complete. -- SB0806 CD1

Committee Reports: SSCR 41 (EDU) SSCR 401 (WAM) HSCR 1032 (EDN/ WAL/)
HSCR 1441 (JHA) HSCR 1807 (FIN) CCR 58

Current Status: Apr-27 21 Passed Legislature

SB0807 SD2 HD2 CD1 (CCR 28)

RELATING TO EDUCATION.

Introduced by: Kidani M, Chang S, Keith-Agaran G

Establishes provisions relating to academic and financial plans; reporting. Requires the academic plan for each school under provisions relating to mandate to initiate school community councils to include; under the measurable outcomes section of the plan, a clear accounting of all resources that will be allocated to address and achieve each measurable outcome; provided that the accounting shall include a breakdown of costs, funding sources for those costs, and full time employee positions, or fractions thereof, designated to achieve the measurable outcome; under the educational outcomes section of the plan, a clear description of the school's priority improvement strategies and measures to determine progress; student growth indicators, which may include but not be limited to the school's National Assessment of Educational Progress assessment scores and authentic assessment results; information about programs intended to address social and economic conditions that adversely impact student learning; a breakdown of teacher vacancy data, including; the number of positions filled by an unlicensed teacher throughout the school year; the number of positions not filled by a licensed teacher at any point during the school year; and the number of positions filled by a teacher who is working outside of their field of educational expertise; the average class size for all regular education, special education, and content based English language learning classes, including any plans to reduce class sizes; and any other information contained in the school's status improvement report deemed relevant for academic and financial planning purposes, including the number of teachers with advanced degrees, number of teachers with 5 or more years of teaching experience at the school, and average number of years of teaching experience of the school's teacher workforce. Requires the data inputs required for student growth indicators, teacher vacancy data, average class size, and school status and improvement report data, under this provision to be preloaded into the academic and financial plan template by the department, and not the individual schools' principals or complex superintendent. Report to the legislature. -- SB0807 CD1

Committee Reports: SSCR 32 (EDU) SSCR 313 (WAM) HSCR 1365 (EDN) HSCR
1871 (FIN) CCR 28

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302A- (1 SECTION) ACADEMIC AND FINANCIAL PLANS

SB0808 SD2 HD1 CD1 (CCR 148)

RELATING TO THE SCHOOL FACILITIES AGENCY.

Introduced by: Kidani M, Keith-Agaran G

Amends provisions relating to school facilities agency under education law and amends Act 72, session laws of 2020, which established the school facilities agency, by renaming the school facilities agency as the school facilities authority and clarifying the powers and responsibilities of the school facilities authority. Transfers the total fund balance in the state educational improvement fund to the school facilities special fund by an unspecified date. -- SB0808 CD1

Committee Reports: SSCR 200 (EDU) SSCR 969 (WAM/ JDC/) HSCR 1351 (EDN)
HSCR 1808 (FIN) CCR 148

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302A-1701, 302A-1702, 302A-1703, 302A-1704, 302A-1705,
302A-1706, 302A-1707, ACT 72 2020, 28-8.3, 76-16, 171-2,
171-64.7, 302A-1602, 302A-1603, 302A-1606, 302A-1604,
302A-1605, 302A-1607, 302A-1609, 302A-1610, 302A-1611,
302A-1612, 302A-1151.1

SB0811 HD1 CD1 (CCR 60)

RELATING TO THE DEPARTMENT OF EDUCATION.

Introduced by: Kidani M, Chang S, Keith-Agaran G

Requires the department of education to publish a weekly report on schools that have a

SENATE BILLS THAT PASSED THE LEGISLATURE

student, staff member, or affiliated individual who has tested positive for coronavirus disease 2019 (COVID-19). Requires the report to include the school's name; the date the COVID-19 positive test result was reported to the school; and the date that the positively tested individual was last on the school campus. Requires the report to be published weekly commencing after July 1, 2021, on the department of education's website. (COVID-19, COVID 19, coronavirus) -- SB0811 CD1

Committee Reports: SSCR 40 (EDU) SSCR 673 (JDC) HSCR 1347 (EDN) HSCR 1811 (FIN) CCR 60

Current Status: Apr-27 21 Passed Legislature

SB0813 HD1 CD1 (CCR 59)

RELATING TO CHARTER SCHOOLS.

Introduced by: Kidani M, Chang S, Dela Cruz D, Inouye L, Misalucha B

Amends provisions relating to annual audit. Requires the authorizer to provide to each charter school it oversees a list of approved independent auditors, from which the charter school shall select 1 independent auditor to comply with this provision. -- SB0813 CD1

Committee Reports: SSCR 121 (EDU) SSCR 962 (WAM) HSCR 1029 (EDN) HSCR 1416 (CPC) HSCR 1812 (FIN) CCR 59

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302D-32

SB0814 SD1 HD1 CD1 (CCR 138)

RELATING TO CHARTER SCHOOLS.

Introduced by: Kidani M, Chang S, Dela Cruz D, Inouye L, Misalucha B

Amends provisions relating to state public charter school commission; establishment; appointment. Requires members of the commission to collectively possess experience and expertise in public or nonprofit governance; management and finance; assessment; and public education. -- Amends provisions relating to start up and conversion charter schools; establishment. Provides that following the review and evaluation of a charter application, approval or denial of the charter application by the authorizer in a meeting open to the public and subsequent written notice to the applicant; provided that in the event of a denial, the notice shall provide specific information to the applicant on the applicant's right to appeal the decision to the board, including but not limited to the number of days by which the applicant shall file an appeal with the board and where to file such an appeal. Provides that a provision for a final date by which a written decision to approve or deny a charter application shall be made by the authorizer to the applicant, upon receipt of a complete charter application. -- SB0814 CD1

Committee Reports: SSCR 323 (EDU) SSCR 681 (JDC) HSCR 1348 (EDN) HSCR 1809 (FIN) CCR 138

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302D-3, 302D-13

SB0819 SD2 HD2 CD1 (CCR 74)

RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM.

Introduced by: San Buenaventura J, Chang S, Inouye L, Keith-Agaran G, Misalucha B, Riviere G

Amends provisions relating to hospital sustainability program special fund. Increase moneys in the hospital sustainability program special fund to be used exclusively to no less than from 88 per cent to 90 per cent of the revenue from the hospital sustainability fee shall be used for 1 or more of the specified requirements; and adds match federal medicaid funds, with the combined total to fund medicaid services including, supportive housing, behavioral health, vaccinations, preventive health, primary care, and home and community-based services. Changes that allow from 12 per cent to 10 per cent of the moneys in the hospital sustainability program special fund to be used by the department of human services for other departmental purposes. -- Amends provisions relating to Hospital sustainability fee. Increases the hospital sustainability fees charged to the hospital shall not in the aggregate exceed from 4 per cent to 5 and 1/2 per cent of the hospital's net patient service revenue. Increases the inpatient hospital sustainability fee, and the outpatient hospital sustainability fee from 4 per cent to 5 and 1/2 per cent. Exempts from the hospital sustainability fee on federal hospitals and public hospitals on inpatient services and outpatient care services. Allows that children's hospitals, psychiatric hospitals, and rehabilitation hospitals to be assessed hospital sustainability fees on inpatient and outpatient services at a different rate than other private hospitals. -- Amends provisions relating to hospital sustainability fee assessments. Changes that require the department to collect, and each hospital to pay, the hospital sustainability fee not later than from the 13th to the 16th day after the end of each calendar month. -- Amends provisions relating to private hospital payments through enhanced rates to medicaid managed care health plans. Provides that in accordance with title 42 Code of

SENATE BILLS THAT PASSED THE LEGISLATURE

Federal Regulations part 438, requires the department to use revenues from the nursing facility sustainability fee and federal matching funds to enhance the capitated rates paid to medicaid managed care health plans for the period of July 1 through December 31, 2021, and calendar years 2022 and 2023, consistent with the objectives specified. -- Amends provisions relating to termination. Provides that collection of the hospital sustainability fees established to be discontinued if the department reduces funding for hospital services below the state appropriation in effect as of July 1, 2021. Amends Act 217, session Laws of 2012; by extending the sunset date to December 31, 2023. Amends Act 123, session laws of 2014 by extending the sunset date to June 30, 2024. Appropriation to the department of human services for the hospital sustainability program special fund. (COVID-19, COVID 19, coronavirus) (\$\$) -- SB0819 CD1

Committee Reports: SSCR 239 (HMS/ HTH/) SSCR 600 (WAM) HSCR 1044 (HHH) HSCR 1426 (CPC) HSCR 1679 (FIN) CCR 74

Current Status: Apr-27 21 Passed Legislature

Section Affected: 346G-4, 346G-5, 346G-6, 346G-10, 346G-12, ACT 217 2012, ACT 141 2013, ACT 123 2014, ACT 70 2015, ACT 60 2016, ACT 59 2017, ACT 173 2019, 36-27, 36-30

SB0828 HD1 CD1 (CCR 96)

RELATING TO DIVORCE.

Introduced by: Shimabukuro M, Baker R, Chang S, Fevella K, Inouye L, Kanuha D, Kim D, Lee C, Misalucha B

Amends provisions relating to jurisdiction; hearing. Requires that exclusive original jurisdiction in matters of divorce, subject to provisions relating to change of venue, as to change of venue, and also subject to appeal according to law, is conferred upon the family court of the circuit in which the applicant is domiciled at the time the application is filed. -- SB0828 CD1

Committee Reports: SSCR 693 (JDC) HSCR 1450 (JHA) HSCR 1794 (FIN) CCR 96

Current Status: Apr-27 21 Passed Legislature

Section Affected: 580-1

SB0834 SD1 HD2 CD1 (CCR 27)

RELATING TO CHILDLIKE SEX DOLLS.

Introduced by: Baker R, Acasio L, Gabbard M, Inouye L, Kidani M, Kim D, Shimabukuro M

Establishes provisions relating to importation, sale, or possession of a childlike sex doll. Provides that a person commits the offense of importation, sale, or possession of a childlike sex doll if the person intentionally, knowingly, or recklessly imports or causes to be imported into the State 1 or more childlike sex dolls; sells, offers to sell, distributes, or otherwise provides to another person 1 or more childlike sex dolls; or possesses 1 or more childlike sex dolls. Makes the importation, sale, or possession of 1 childlike sex doll a misdemeanor. Makes the importation, sale, or possession of 2 to 5 childlike sex dolls a class C felony. Makes the importation, sale, or possession of more than 5 childlike sex dolls a class B felony. Defines childlike sex doll to mean a doll, mannequin, or robot that is intended for sexual stimulation, gratification, or perversion and that has the features of, or features that resemble those of, a person below the age of puberty. -- SB0834 CD1

Committee Reports: SSCR 594 (JDC) HSCR 1513 (CPC) HSCR 1838 (JHA) CCR 27

Current Status: Apr-27 21 Passed Legislature

Section Affected: 712- (1 SECTION) IMPORTATION, SALE, OR POSSESSION OF A CHILDLIKE SEX DOLL

SB0855 SD1 HD1 CD1 (CCR 24)

RELATING TO COFFEE PEST CONTROL.

Introduced by: Kanuha D

Amends Act 105, session laws of 2014, as amended by Act 152, session laws of 2015, as amended by Act 65, session laws of 2017, as amended by Act 32, session laws of 2018, as amended by Act 111, session laws of 2019, which establishes a pesticide subsidy program in the department of agriculture, by amending the repeal date of the pesticide subsidy program to June 30, 2023 (sunset). Provides that no single coffee grower shall receive subsidies that are more than 600 dollars per year for coffee berry borer control and more than 600 dollar per year for coffee leaf rust control per acre of land in coffee production. Provides that no single coffee grower shall receive subsidies that total more than 12,000 dollars per year for the period after June 30, 2021, and before July 1, 2023. Requires the department of agriculture to also establish a list of pesticides that are registered with the US Environmental Protection Agency; are licensed with the State; and are contact and systemic fungicides that, when combined, are effective against coffee leaf rust. Amends the provision that requires the pesticide subsidy program manager position to expire on June 30, 2024 (sunset). Requires the department

SENATE BILLS THAT PASSED THE LEGISLATURE

of agriculture to submit a report to the legislature. -- SB0855 CD1
Committee Reports: SSCR 232 (AEN) SSCR 584 (WAM) HSCR 980 (AGR) HSCR
1666 (FIN) CCR 24
Current Status: Apr-27 21 Passed Legislature
Section Affected: ACT 105 2014, ACT 152 2015, ACT 65 2017, ACT 32 2018, ACT
111 2019, 149A-13.5

SB0873 SD1 HD1 CD1 (CCR 141)

RELATING TO CONTESTED CASES.
Introduced by: Shimabukuro M, Kanuha D, Keohokalole J, Misalucha B
Amends provisions relating to contested cases; notice; hearing; records by changing the title to contested cases; notice; hearing; interactive conference technology; records. Allows the hearing to be held by interactive conference technology that allows interaction by the agency, any party, and counsel if retained by the party, and the notice identifies electronic contact information for each agency, party, and counsel if retained by the party. Requires a contested case hearing held by interactive conference technology to be recessed for up to 1 hour when audio communication cannot be maintained; provided that the hearing may reconvene when only audio communication is reestablished. Provides that if audio only communication is reestablished, then each speaker shall state the speaker's name prior to making remarks. Requires opportunities to be afforded all parties to present evidence and argument on all issues involved; provided that, if the hearing is held by interactive conference technology evidence may be submitted and exchanged by electronic means. -- SB0873 CD1
Committee Reports: SSCR 702 (JDC) HSCR 1342 (JHA) HSCR 1706 (FIN) CCR 141
Current Status: Apr-27 21 Passed Legislature
Section Affected: 91-9

SB0932 SD2 HD1 CD1 (CCR 100)

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM.
Introduced by: Wakai G, Kidani M, Misalucha B
Establishes the clean energy and energy efficiency revolving loan fund. Establishes in the Hawaii green infrastructure special fund, the clean energy and energy efficiency revolving loan fund, similar to a revolving line of credit, which shall be administered by the authority. Exempts funds deposited into the clean energy and energy efficiency revolving loan fund to be under the jurisdiction of, nor be subject to approval by, the Hawaii public utilities commission and shall include; any amounts, up to a total amount not to exceed 50,000,000 dollars, of moneys borrowed by the Hawaii green infrastructure authority, with the approval of the governor, from federal, county, private, or other funding sources; funds from federal, state, county, private, or other funding sources; investments from public or private investors; moneys received as repayment of loans and interest payments; provided that the repayment of loans and interest payments under this provision shall not include repayment of loans and interest collected as a result of funds advanced from proceeds of the green energy market securitization bonds; and any fees collected by the authority under this provision; provided that moneys collected as a result of the funds advanced from proceeds of the green energy market securitization bonds shall be kept separate from fees collected as a result of funds advanced from proceeds of the clean energy and energy efficiency revolving loan fund. Requires moneys in the clean energy and energy efficiency revolving loan fund to be used to provide low cost loans at below market rates or other authorized financial assistance to eligible public, private, and nonprofit borrowers for clean energy investments or other authorized uses, or both, on terms approved by the authority. Allows moneys from the fund to be used to cover administrative and legal costs of fund management and management associated with individual loans, which include personnel, services, technical assistance, data collection and reporting, materials, equipment, and travel for the purposes of this provision. -- Amends provisions relating to definitions under energy resources law. Redefines green infrastructure loan program and green infrastructure loans to mean the program established by this part under provisions relating to the Hawaii green infrastructure loan program and capitalized by the issuance of green energy market securitization bonds to finance the purchase or installation of green infrastructure equipment for clean energy technology, demand response technology, and energy use reduction and demand side management infrastructure, programs, and services as authorized by the public utilities commission using the proceeds of bonds. -- Amends provisions relating to financing for state government agencies. Provides that beginning with fiscal year 2021-2022, and annually thereafter, an agency shall repay a loan issued pursuant to this provision using general revenue savings that result from reduced energy costs due to financing the purchase of solar energy systems or other clean energy

SENATE BILLS THAT PASSED THE LEGISLATURE

equipment, implementing energy efficient lighting and other energy efficiency measures, as well as operational and fuel cost savings achieved by the conversion of internal combustion vehicles to electric vehicles. -- Amends provisions relating to functions, powers, and duties of the authority. Adds green infrastructure loan program. Report to the legislature. -- Amends provisions relating to the Hawaii green infrastructure special fund. Allows moneys in the Hawaii green infrastructure special fund to be used, subject to the approval of the public utilities commission, for making green infrastructure loans, including for installation costs for energy efficient lighting and other energy efficiency measures, to finance the option to purchase solar energy systems and other clean energy equipment under existing power purchase agreements and energy performance contracts, finance the purchase or lease of electric vehicles, and install electric vehicle charging systems; and creating a 50,000,000 dollars sub fund, as a revolving line of credit within the Hawaii green infrastructure special fund, for any state agency to obtain financing to implement cost effective energy efficiency measures, finance the option to purchase solar energy systems and other clean energy equipment under existing power purchase agreements and energy performance contracts, finance the purchase or lease of electric vehicles, and to install electric vehicle charging systems. -- Repeals provisions relating to the building energy efficiency revolving loan fund. -- Appropriation out of the clean energy and energy efficiency revolving loan fund (\$\$). (COVID-19, COVID 19, coronavirus) -- SB0932 CD1

Committee Reports: SSCR 251 (EET) SSCR 940 (JDC/ WAM/) HSCR 1074 (EEP)
HSCR 1463 (CPC) HSCR 1851 (FIN) CCR 100

Current Status: Apr-27 21 Passed Legislature

Section Affected: 196- (1 SECTION), 196-61, 196-62.5, 196-64, 196-65, 201-12.8, 201-20

SB0934 HD1 CD1 (CCR 129)

RELATING TO MEASUREMENT STANDARDS.

Introduced by: Wakai G, Chang S, Misalucha B, Riviere G

Amends provisions relating to measurement standard by adding exemptions. Exempts any hydrogen fuel product from this provision. Defines hydrogen fuel to mean hydrogen with a fuel index of 99 percent or higher in vapor or liquid state to be used as fuel. -- SB0934 CD1

Committee Reports: SSCR 351 (AEN/ EET/) SSCR 682 (JDC) HSCR 1073 (EEP)
HSCR 1464 (CPC) HSCR 1684 (FIN) CCR 129

Current Status: Apr-27 21 Passed Legislature

Section Affected: 486-52

SB0936 SD2 HD1 CD1 (CCR 101)

RELATING TO PUBLIC HEALTH.

Introduced by: Wakai G, Gabbard M, Kidani M, Lee C, Misalucha B

Establishes provisions relating to seizure 1st aid; information under department of health law. Requires the department of health to provide employers, employees, and the general public with information in relation to rendering seizure 1st aid. Allows employers to disseminate to their employee's information on seizure 1st aid provided by the department of health in various forms, including posting the information in a prominent place at the employers' workplace. -- SB0936 CD1

Committee Reports: SSCR 477 (LCA) SSCR 846 (JDC) HSCR 997 (LAT) HSCR 1419
(CPC) HSCR 1799 (FIN) CCR 101

Current Status: Apr-27 21 Passed Legislature

Section Affected: 321- (1 SECTION) SEIZURE FIRST AID

SB0939 HD2 CD1 (CCR 133)

RELATING TO JUNETEENTH DAY.

Introduced by: Wakai G, Chang S, Gabbard M, Misalucha B

Amends provisions relating to holidays designated. Designates June 19th of each year as Juneteenth. Juneteenth is not and shall not be construed to be a state holiday. -- SB0939 CD1

Committee Reports: SSCR 745 (GVO/ WAM/) HSCR 1054 (CAI) HSCR 1451 (JHA)
HSCR 1664 (FIN) CCR 133

Current Status: Apr-27 21 Passed Legislature

Section Affected: 8- (1 SECTION) JUNETEENTH

SB0970 SD2 HD2 (HSCR 1667)

RELATING TO TELEHEALTH.

Introduced by: Keohokalole J, Chang S, Kidani M, Lee C, San Buenaventura J, Shimabukuro M

Amends provisions relating to practice of telehealth. Allows a physician patient relationship to be established via a telehealth interaction; provided that the physician has

SENATE BILLS THAT PASSED THE LEGISLATURE

a license to practice medicine in the State. Provides that once a physician patient relationship is established, a patient or physician licensed in this State may use telehealth for any authorized purpose, including consultation with a medical provider licensed in another state, authorized by this provision or as otherwise provided by law. (COVID-19, COVID 19, coronavirus) -- SB0970 HD2

Committee Reports: SSCR 162 (HTH) SSCR 652 (CPN/ JDC/) HSCR 1056 (PDP/ HHH/) HSCR 1410 (CPC) HSCR 1667 (FIN)

Current Status: Apr-21 21 Received by the Governor

Section Affected: 453-1.3

SB0973 SD1 HD2 CD1 (CCR 48)

RELATING TO HAWAII MONEY TRANSMITTER ACT.

Introduced by: Baker R, Misalucha B

Amends the money transmitters act by changing its title to the money transmitters modernization act. -- Amends provisions relating to the license and registration; application. Requires each application to contain for all applicants; a sample form of payment instrument or instrument upon which stored value is recorded, if applicable; and information concerning any bankruptcy or receivership proceedings affecting the licensee, key individual, person in control of a licensee, or person seeking to acquire control of a licensee. -- Amends provisions relating to changes in control of a licensee. Extends the period of a license applicant's litigation and criminal conviction history review from 5 to 10 years next date of the application. -- Amends provisions relating to examinations by changing the title to examinations and investigations. Allows the commissioner to examine or investigate a licensee or authorized delegate of a licensee as reasonably necessary or appropriate to administer and enforce this law, and rules adopted or orders issued under this law, and other applicable law including but not limited to the Bank Secrecy Act, title 31 US Code section 5311 et seq.; Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, P.L. 107-56; Electronic Fund Transfer Act, Title 15 US Code section 1693 et seq.; and Gramm-Leach Bliley Act of 1999, P.L. 106-102. -- Amends provisions relating to powers of the commissioner. Allows the commissioner to participate in nationwide protocols for licensing cooperation and coordination among state regulators. -- SB0973 CD1

Committee Reports: SSCR 274 (CPN) SSCR 661 (JDC) HSCR 985 (ECD) HSCR 1510 (CPC) HSCR 1687 (FIN) CCR 48

Current Status: Apr-27 21 Passed Legislature

Section Affected: 489D-1, 489D-4, 489D-9, 489D-15, 489D-17, 489D-34

SB1015 SD2 HD1 CD1 (CCR 134)

RELATING TO THE COMPTROLLER.

Introduced by: Moriwaki S, Chang S, Fevella K, Inouye L, Kidani M, Misalucha B, Riviere G

Establishes provisions relating to office space management. Provides that for state agencies occupying space in facilities managed by the department of accounting and general services or in non state facilities, the comptroller shall assess and determine office space requirements; initiate or cancel leases upon the determination of each agency's requirements; renegotiate existing leases; authorize office space allocation; and determine infrastructure requirements to allow employees to telework. Requires the comptroller to reduce the total square footage of space leased by the State as of July 1, 2021, by 10 per cent no later than July 1, 2026. Requires the comptroller to submit a progress report on the implementation of this provision to the legislature no later than twenty days prior to the convening of each regular session beginning in the regular session of 2022. Report to the legislature. (COVID-19, COVID 19, coronavirus) -- SB1015 CD1

Committee Reports: SSCR 552 (GVO) SSCR 776 (WAM) HSCR 1354 (PDP) HSCR 1815 (FIN) CCR 134

Current Status: Apr-27 21 Passed Legislature

Section Affected: 40- (1 SECTION) OFFICE SPACE MANAGEMENT

SB1034 SD1 HD2 CD1 (CCR 71)

RELATING TO SUNSHINE LAW BOARDS.

Introduced by: Kouchi R (BR)

Establishes provisions relating to remote meeting by interactive conference technology; notice; quorum. Allows a board to hold a remote meeting by interactive conference technology; provided that the interactive conference technology used by the board allows audiovisual interaction among all members of the board participating in the meeting and all members of the public attending the meeting, except as otherwise provided under this provision; provided further that there is at least 1 meeting location that is open to the

SENATE BILLS THAT PASSED THE LEGISLATURE

public and has an audiovisual connection. Exempts a board holding a remote meeting pursuant to this provision to be required to allow members of the public to join board members in person at nonpublic locations where board members are physically present or to identify those locations in a notice; provided that at the meeting, each board member shall state who, if anyone, is present at the nonpublic location with the member. Specifies notice requirements. Establishes requirements for conduct of remote meetings held by interactive conference technology. Requires a meeting held by interactive conference technology to be automatically recessed for up to 30 minutes to restore communication when audiovisual communication cannot be maintained with all members participating in the meeting or with the public location identified in the board's notice pursuant to this provision or with the remote public broadcast identified in the board's notice pursuant to this provision. Allows the meeting to reconvene when either audiovisual communication is restored, or audio only communication is established after an unsuccessful attempt to restore audiovisual communication, but only if the board has provided reasonable notice to the public as to how to access the reconvened meeting after an interruption to communication. -- Amends provisions relating to meeting by interactive conference technology; notice; quorum by changing the title to in person meeting at multiple sites by interactive conference technology; notice; quorum. Allows a board to hold an in person meeting at multiple meeting sites connected by interactive conference technology; provided that the interactive conference technology used by the board allows audio or audiovisual interaction among all members of the board participating in the meeting and all members of the public attending the meeting, and the notice identifies all of the locations where participating board members will be physically present and indicates that members of the public may join board members at any of the identified locations. Allows the board to provide additional locations open for public participation but where no participating board members will be physically present. Requires the notice to list any additional locations open for public participation but where no participating board members will be physically present and specify, in the event 1 of those additional locations loses its audio connection to the meeting, whether the meeting will continue without that location or will be automatically recessed to restore communication as provided in this provision. Requires a meeting held by interactive conference technology under this provision to be automatically recessed for up to 30 minutes to restore communication when audio communication cannot be maintained with all locations where the meeting by interactive conference technology is being held, even if a quorum of the board is physically present in 1 location. Allows the meeting to reconvene when either audio or audiovisual communication is restored. Provides that within 15 minutes after audio only communication is established, copies of nonconfidential visual aids that are required by or brought to the meeting by board members or as part of a scheduled presentation shall be made available either by posting on the internet or by other means to all meeting participants, and those agenda items for which visual aids are not available for all participants at all meeting locations shall not be acted upon at the meeting. Provides that if it is not possible to reconvene the meeting as provided in this section within 30 minutes after an interruption to communication, and the board has not provided reasonable notice to the public as to how the meeting will be continued at an alternative date and time, then the meeting shall be automatically terminated. -- Amends provisions relating to notice. Requires the notice to include the board's electronic and postal contact information for submission of testimony before the meeting; instructions on how to request an auxiliary aid or service or an accommodation due to a disability. -- Requires the office of information practices to, in consultation with the disability and communication access board and the office of enterprise technology services, assess the implementation of meetings held using interactive conference technology, including participation by members of the public who need an accommodation due to a disability. Report to the legislature. (COVID-19, COVID 19, coronavirus) -- SB1034 CD1

Committee Reports: SSCR 753 (JDC) HSCR 1382 (PDP) HSCR 1836 (JHA) CCR 71
Current Status: Apr-27 21 Passed Legislature
Section Affected: 92- (1 SECTION), 92-2, 92-3.5, 92-7

SB1039 SD1 HD2 CD1 (CCR 90)

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES.

Introduced by: Kouchi R (BR)

Appropriation to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other

SENATE BILLS THAT PASSED THE LEGISLATURE

liabilities. Appropriation out of the state highway fund to the department of transportation, highways division, for the purpose of satisfying claims for legislative relief as to the following named persons, for claims against the State or its officers or employees for payments of judgments or settlements, or other liabilities. Requires departments to obtain the approval of the attorney general before payment of any claim may be made.

-- SB1039 CD1

Committee Reports: SSCR 514 (JDC) SSCR 920 (WAM) HSCR 1474 (JHA) HSCR 1869 (FIN) CCR 90

Current Status: Apr-27 21 Passed Legislature

SB1042 SD1 HD1 CD1 (CCR 64)

RELATING TO COVERED OFFENDER REGISTRATION.

Introduced by: Kouchi R (BR)

Amends provisions relating to registration requirements under registration of sex offenders and other covered offenders and public access to registration information. Requires a person who establishes or maintains a residence in this State or who remains in this State for more than 10 days or for an aggregate period exceeding 30 days in 1 calendar year, and who has not been designated as a covered offender by a court of this State but who has been designated as a covered offender, sex offender, offender against minors, repeat covered offender, sexually violent predator, or any other sexual offender designation in another state or jurisdiction and was, as a result of the designation, subjected to registration or community or public notification, or both, or would be if the person was a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a covered offender, to register in the manner provided in this provision. Requires a person who meets the criteria of this provision to subject to the requirements of this law for covered offenders and penalty provisions relating to failure to comply with covered offender registration requirements until the person successfully petitions the attorney general for termination of registration requirements by providing an order issued by the court that designated the person as a covered offender, sex offender, offender against minors, repeat covered offender, sexually violent predator, or any other sexual offender designation in the state or jurisdiction in which the order was issued, which states that the designation has been removed or demonstrates to the attorney general that the designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and the person does not meet the criteria for registration as a covered offender under the laws of this State; provided that if the person is not satisfied with the decision of the attorney general on the request for termination of registration requirements, the person may appeal the decision; or the court for termination of registration requirements. -- Amends provisions relating to termination of registration requirements. Allows a person who does not meet the criteria for registration as a covered offender under the laws of this State, but is subject to registration, to petition the court, in a civil proceeding, for termination of registration requirements; provided that the person has maintained a clean record for the previous 10 years, excluding any time the person was in custody or civilly committed; has substantially complied with the registration requirements of this law for the previous 10 years; and was not designated a repeat covered offender in any state or jurisdiction. Requires the attorney general to represent the State; provided that the attorney general, with the prosecuting agency's consent, may designate the prosecuting agency for the county in which the person resides to represent the State. Allows the court to order this termination upon substantial evidence and more than proof by a preponderance of the evidence that the person has met the statutory requirements of eligibility to petition for termination; the person has substantially complied with registration requirements; the person is very unlikely to commit a covered offense; and registration by the person will not assist in protecting the safety of the public or any member thereof. Requires a denial by the court for relief pursuant to a petition under this provision to preclude the filing of another petition for 5 years from the date of the most recent denial. -- SB1042 CD1

Committee Reports: SSCR 377 (PSM) SSCR 675 (JDC) HSCR 1722 (JHA) CCR 64

Current Status: Apr-27 21 Passed Legislature

Section Affected: 846E-2, 846E-10

SB1050 SD1 HD1 (HSCR 1723)

RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Introduced by: Kouchi R (BR)

Establishes provisions relating to criminal history record checks. Requires the department of the attorney general to ensure that a background investigation is completed at the appropriate level designated by the federal government for any person, including any authorized contractor, to have access to federal tax information. Requires

SENATE BILLS THAT PASSED THE LEGISLATURE

this background investigation to include criminal history record checks. Requires information obtained pursuant to this provision to be used exclusively by the department of the attorney general for the purpose of determining whether the person is suitable for accessing federal tax information in accordance with applicable federal laws. -- Amends provisions relating to criminal history record checks. Allows criminal history record checks to be conducted by the department of the attorney general on current or prospective employees or agents of contractors who have access to federal tax information in order to comply with requirements of federal law, regulation, or procedure.

-- SB1050 HD1

Committee Reports: SSCR 751 (JDC) HSCR 1723 (JHA)

Current Status: Apr-21 21 Received by the Governor

Section Affected: 28- (1 SECTION), 846-2.7

SB1053 SD2 HD1 CD1 (CCR 3)

RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM.

Introduced by: Kouchi R (BR)

Amends provisions relating to grants; conditions and qualifications under community based development law. Expands the eligibility of organizations that can receive community based economic development technical assistance from not just community based organizations (non profits), but also includes businesses, particularly those that currently have community based economic development loans or may apply for a community based economic development loan in the future. -- SB1053 CD1

Committee Reports: SSCR 343 (EET) SSCR 707 (WAM) HSCR 1231 (ECD) HSCR 1865 (FIN) CCR 3

Current Status: Apr-27 21 Passed Legislature

Section Affected: 210D-11

SB1054 SD2 (SSCR 786)

RELATING TO THE BROWNFIELDS CLEANUP REVOLVING LOAN FUND.

Introduced by: Kouchi R (BR)

Amends provisions relating to the brownfields cleanup revolving loan fund. Requires moneys in the fund to be used to provide low interest loans or other authorized financial assistance to eligible public, private, and nonprofit borrowers for brownfields site assessments, cleanup activities of contaminated sites, and site monitoring activities necessary to determine the effectiveness of a cleanup. Allows moneys in the fund to also be used to provide grants to eligible public and nonprofit entities for brownfields site assessments, cleanup activities of contaminated sites, and site monitoring activities necessary to determine the effectiveness of a cleanup. Requires all environmental site assessments and response activities and entities receiving funding to be subject to the eligibility requirements of, and conducted in accordance with, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, P.L. 96-510 (42 U.S.C. §§9601-9675), as amended. Prohibits moneys used to exceed the amounts allowed by the US Environmental Protection Agency's Brownfields Program grant guidance, as amended. Allows the department of business, economic development, and tourism to award and disburse moneys from the loan fund in the form of grants to eligible public or nonprofit entities for brownfields site assessments, cleanup and related activities, or site monitoring activities. -- SB1054 SD2

Committee Reports: SSCR 233 (AEN) SSCR 786 (WAM) HSCR 1005 (EEP) HSCR 1433 (ECD) HSCR 1685 (FIN)

Current Status: Apr-09 21 Received by the Governor

Section Affected: 201-18

SB1096 SD1 HD1 CD1 (CCR 85)

RELATING TO INSURANCE.

Introduced by: Kouchi R (BR)

Establishes provisions relating to contracts between public adjuster and insured. Requires all contracts for services provided by a public adjuster to be in writing and contain specified terms. Prohibits a public adjuster contract to contain any contract term that requires the insured to authorize an insurance company to issue a check only in the name of the public adjuster; imposes collection costs or late fees; or precludes the insured from pursuing civil remedies. Prohibits a public adjuster to charge, agree to, or accept as compensation or reimbursement any payment, fee, commission, or other thing of value that is determined to be unreasonable by the commissioner. Provides that if the compensation is based on a share of the insurance settlement or proceeds, the exact percentage shall be specified in the contract. Provides that the insured has the right to rescind the contract within 3 business days after the date the contract was signed, and requires the rescission to be in writing and mailed or delivered to the public adjuster at

SENATE BILLS THAT PASSED THE LEGISLATURE

the address in the contract within the 3 business day period. Provides that if the insured exercises the right to rescind the contract pursuant to that the insured shall have the right to rescind the contract within 3 business days after the date the contract was signed, anything of value given by the insured under the contract shall be returned to the insured within 15 business days following the receipt of the cancellation notice by the public adjuster. Provides that a compensation provisions in a public adjusting contract shall be made available to the insurance commissioner upon request. -- Establishes provisions relating to standard of conduct. Requires a person issued a limited lines motor vehicle rental company license; an owner issued a limited lines self service storage produce license; and a vendor issued a limited lines license to act in good faith, abstain from deception, and practice honesty and equity in all insurance matters. -- Amends provisions relating to taxation. Change electronic payment from the automated clearing house debit or credit payment system to the National Association of Insurance Commissioners Online Premium Tax for insurance or an equivalent service approved by the insurance commissioner. Repeals the definition of automated clearing house debit or credit payment system definition. -- Amends provisions relating to surplus lines broker's reports to commissioner. Requires surplus lines to file electronically with the insurance commissioner a verified statement of all surplus lines insurance transacted during the calendar quarter. -- Amends provisions relating to tax on surplus lines. Requires each surplus lines broker to pay to the director of finance, through the insurance commissioner via the National Association of Insurance Commissioners Online Premium Tax for insurance or an equivalent service approved by the insurance commissioner, a premium tax on surplus lines insurance transacted by the broker during the calendar quarter. -- Amends provisions relating to reporting and accounting premiums to reporting and accounting for funds. Changes the term premium to funds. -- Amends provisions relating to denial, suspension, revocation of licenses. Allows the commissioner to suspend, revoke, or refuse to extend any license if the licensee has been found to have committed any unfair practice or fraud; and for any cause specified in this article by an order as specified. -- Amends provisions relating to limited license. Requires a person issued a limited license to act in good faith, abstain from deception, and practice honesty and equity in all insurance matters. -- Amends provisions relating to standard nonforfeiture law; individual deferred annuities. Changes the minimum nonforfeiture interest rate from 1 per cent to 15/100 of 1 per cent. -- Amends provision relating to board of governors under motor vehicles insurance law. Requires the insurance commissioner to appoint members to the board of governors. Changes the composition of the board of governors from 5 persons to 4 persons from, and members or representatives of, nationally organized insurers or their domestic insurer affiliates; and 1 person to represent insurance producers. -- Amends provisions relating to unfair methods of competition and unfair or deceptive acts or practices defined. Provides that nothing shall be construed as including within the definition of discrimination or rebates any of the practices to include a reward under a wellness program established under a health care plan that favors an individual if the wellness program meets the specified requirements. -- Amends provisions relating to registration fees and service fees of risk retention groups not chartered in this State. Requires a risk retention group to pay annually a service fee to the commissioner on or before the extension date of certificate of authority. Allows the commissioner to, upon showing of good cause, waive or modify, in whole or part, all fees in this provision by order. -- Amends provisions relating to risk retention law; provisions relating to pharmacy benefit managers law; provisions relating to mutual benefits societies law; provisions relating to the health maintenance organization Act; and provisions relating to dental insurers law. Allows the commissioner to, upon showing of good cause, waive or modify, in whole or part, all fees in this provision by order. -- SB1096 CD1

Committee Reports: SSCR 612 (CPN) HSCR 1400 (CPC) HSCR 1695 (FIN) CCR 85

Current Status: Apr-27 21 Passed Legislature

Section Affected: 431:9- (1 SECTION), 431:9A- (1 SECTION), 431:9A- (1 SECTION), 431:31- (1 SECTION), 431:2-201, 431:7-202, 431:8-313, 431:8-315, 431:9-230, 431:9-235, 431:9A-107.5, 431:10C-405, 431:10D-107, 431:13-103, 431K-3.5, 431K-7.1, 431S-3, 431S-4, 432:1-108, 432:2-108, 432D-17, 432G-12

SB1098 SD1 HD1 CD1 (CCR 82)

RELATING TO THE REGULATORY AUTHORITY OF THE INSURANCE COMMISSIONER.

Introduced by: Kouchi R (BR)

Amends provisions relating to fees under fees, taxes and deposits. Requires the insurance commissioner to collect, in advance to by changing producer's license to

SENATE BILLS THAT PASSED THE LEGISLATURE

resident producer's license. Adds pharmacy benefit manager's registration Issuance fee of 140 dollars; limited lines portable electronics producer's license issuance of 5,000 dollars; limited lines self service storage producer's license issuance of 60 dollars. Requires that fees for services of the department of commerce and consumer affairs subsequent to the issuance of a certificate of authority to include registration. Adds 140 dollars per year for all services including renewal of registration for a pharmacy benefit manager; 2,500 dollars per year for all services including extension of the license for a regularly licensed limited lines portable electronics producer; 45 dollars per year for all services including extension of license for a regularly licensed limited lines self service storage producer. Requires annual fee for all services to be due and payable by electronic payment via the National Association of Insurance Commissioners' Online Premium Tax for insurance or an equivalent service approved by the commissioner. Requires the commissioner to notify licensees and registrants by written notice at least 30 days prior to the extension date of the license or registration. Requires that if the fee is not paid before or on the renewal date for a license or registration, the fee to be increased by a penalty in the amount of double the unpaid renewal fee. Adds that all fees and penalties are nonrefundable. -- Amends provisions relating to definition. Redefines individual to mean a natural person. -- Amends provisions relating to surplus lines broker license required; application and qualifications for license. Changes that require the surplus lines broker to pay the fee and a penalty in the amount of from 50 per cent to double the then unpaid fees within from 20 months to 12 months from the inactivation date. -- Amends provisions relating to prerequisites for license renewal. Changes that require a licensee to qualify for a license renewal from during the 24 months preceding to preceding a license renewal, complete the required number of credit hours specified in approved continuing education courses. -- Amends provisions relating to examination for license. Changes from each to prior to the issuance of the license, each applicant for license as an adjuster or independent bill reviewer to personally take and pass to the satisfaction of the insurance commissioner an examination given by the commissioner as a test of the applicant's qualifications and competence. -- Amends provisions relating to extension of licenses. Provides that prior to the renewal or extension of a license, requires each licensee to pay the fee required in provisions relating to fees under fees taxes and deposits. Changes fee and a penalty in the amount of from 50 per cent to double the then unpaid fees within from 24 months to 12 months from the inactivation date. -- Amends provisions relating to application for license. Provides that before approving the insurance producer license application, requires the commissioner to find that the applicant has passed, within the 2 years immediately preceding the issuance of the license, the applicable examination for each line of authority for which the applicant has applied. -- Amends provisions relating to license. Changes the fee payable and a penalty in the amount of from 50 to double the then unpaid renewal fees are paid within from 24 months to 12 months from the inactivation date and the producer is in compliance with all the requirements of the insurance law. -- Amends provisions relating to prerequisites for license renewal. Changes that a licensee need not retake the producer license examination; provided that renewal requirements in this provision are met or reactivation occurs from within 2 years to within 12 months of the date of inactivation. -- Amends provisions relating to licensure under reinsurance intermediary. Prohibits a person, firm, association, or corporation to act as a reinsurance intermediary broker in this State if the reinsurance intermediary broker maintains an office either directly or as a member or employee of a firm or association, or as an officer, director, or employee of a corporation in this State, unless the reinsurance intermediary broker is a licensed producer or reinsurance intermediary in this State; or in another state, unless the reinsurance intermediary broker is a licensed producer in this State or another state having a law substantially similar to this article. Further prohibits a person, firm, association, or corporation to act as a reinsurance intermediary manager in this State unless, in the case of a reinsurer domiciled in this State, the reinsurance intermediary manager is a licensed producer in this State; or the reinsurance intermediary manager maintains an office either directly or as a member or employee of a firm or association, or as an officer, director, or employee of a corporation in this State, and is a licensed producer or reinsurance intermediary in this State. -- Amends provisions relating to license required; application under 3rd party administrators. Repeals that provide that the renewal or extension date for a license issued to a natural person shall be the 16th day of the licensee's birth month; and the renewal or extension date for a license issued to an artificial person shall be the 16th day of April for a nonresident licensee, and the 16th day of July for a resident licensee. -- Amends provisions relating to application for license and fees. Provides that the application for a license shall provide to include electronic mail address. Requires that the license to be renewable

SENATE BILLS THAT PASSED THE LEGISLATURE

biennially and licensing fees to be governed by fees under provisions relating to fees under fees, taxes and deposits law. -- SB1098 CD1

Committee Reports: SSCR 613 (CPN) HSCR 1401 (CPC) HSCR 1696 (FIN) CCR 82
Current Status: Apr-27 21 Passed Legislature
Section Affected: 431:7-101, 431:8-102, 431:8-310, 431:8-327, 431:9-206, 431:9-232, 431:9A-102, 431:9A-106, 431:9A-107, 431:9A-124, 431:9A-176, 431:9B-102, 431:9J-102, 431:31-107

SB1100 SD1 HD2 CD1 (CCR 81)

RELATING TO INSURANCE DATA SECURITY.

Introduced by: Kouchi R (BR)

Establishes the insurance data security law. Establishes powers of the commissioner. Requires the licensee's regulator to have the power to examine and investigate the affairs of any licensee to determine whether the licensee has been or is engaged in any conduct in violation of this article. Provides that any examination or investigation of a licensee domiciled in the State shall be conducted pursuant to provisions relating to conduct of examinations under administration of insurance laws; and allows the commissioner to take action that is necessary or appropriate to enforce the provisions of this article. Establishes confidentiality; exceptions; penalties; and private cause of action. Requires the commissioner to adopt rules necessary to carry out the provisions of this article. Establishes implementation of an information security program. Requires the licensee or in the licensee's possession, custody, or control, each licensee to develop, implement, and maintain a comprehensive written information security program based on the licensee's risk assessment and that contains administrative, technical, and physical safeguards for the protection of nonpublic information and the licensee's information system. Establishes objectives of the information security program; risk assessment, risk management; oversight by the board of directors; oversight of 3rd party service provider arrangements, program adjustments, incident response plan, annual certification to commissioner, investigation of a cyber security event, notification of a cybersecurity event, notification to consumers, notice regarding cybersecurity events of 3rd party service providers, notice regarding cybersecurity events of reinsurers to insurers, and notice regarding cybersecurity events of insurers to producers of record. -- Amends provisions relating to Laws applicable under captive insurance companies. Add provisions relating to insurance data security law. -- SB1100 CD1

Committee Reports: SSCR 614 (CPN) HSCR 1059 (CPC) HSCR 1479 (JHA) HSCR 1697 (FIN) CCR 81

Current Status: Apr-27 21 Passed Legislature

Section Affected: 431: - (21 SECTIONS) INSURANCE DATA SECURITY LAW, 431:19-115

SB1102 HD1 CD1 (CCR 84)

RELATING TO MIXED MARTIAL ARTS.

Introduced by: Kouchi R (BR)

Amends provisions relating to permit required to hold each mixed martial arts event. Provides that to obtain a permit to conduct, hold, or give a mixed martial arts event, requires a promoter to provide to include cash made payable to each mixed martial arts contestant for the amount due the contestant or the contestant's manager, as the case may be, in accordance with the contracts approved by the director of commerce and consumer affairs. -- SB1102 CD1

Committee Reports: SSCR 615 (CPN) HSCR 1402 (CPC) HSCR 1790 (FIN) CCR 84

Current Status: Apr-27 21 Passed Legislature

Section Affected: 440E-7

SB1103 HD1 CD1 (CCR 83)

RELATING TO THE PEER REVIEW OVERSIGHT COMMITTEE.

Introduced by: Kouchi R (BR)

Amends provisions relating to the peer review oversight committee. Requires the committee to consist of 3 individuals approved by the state board of public accountancy who hold permits to practice and who are currently in the practice of public accountancy at the partner or equivalent level. Provides that in selecting committee members, the board shall consider, among other things, the prospective member's experience with attest engagements and the peer review rating of the prospective member's firm. -- SB1103 CD1

Committee Reports: SSCR 616 (CPN) HSCR 1403 (CPC) HSCR 1791 (FIN) CCR 83

Current Status: Apr-27 21 Passed Legislature

Section Affected: 466-42

SB1127 SD1 HD2 (HSCR 1665)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HUMAN

SENATE BILLS THAT PASSED THE LEGISLATURE

SERVICES.

Introduced by: Kouchi R (BR)

Appropriation to the department of human services for general assistance payments. (\$\$)

-- SB1127 HD2

Committee Reports: SSCR 390 (HMS) SSCR 810 (WAM) HSCR 1389 (HHH) HSCR 1665 (FIN)

Current Status: Apr-20 21 Received by the Governor

Apr-20 21 Approved by Governor (Act 8 2021)

SB1139 SD2 HD1 CD1 (CCR 145)

RELATING TO THE OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION.

Introduced by: Kouchi R (BR)

Amends provisions relating to registration requirements; qualifying patients; primary caregivers. Changes that require the department of health to issue to the qualifying patient a registration certificate and may charge 35 dollars per year to a fee for the certificate in an amount adopted by rules pursuant to administrative procedure law. --

Amends provisions relating to registration requirements; qualifying patients; primary caregivers. Changes that require each qualifying out of state patient to pay a fee of 45 dollars to in an amount established by rules adopted by the department pursuant to administrative procedure law for each registration and renewal. Requires the office of medical cannabis control and regulation to convene a task force to explore the development of a dual system program of the legalization for cannabis and the impacts of legalization of cannabis on qualifying patients, including access to medical cannabis by qualifying patients. Report to the legislature. -- SB1139 CD1

Committee Reports: SSCR 163 (HTH) SSCR 824 (WAM) HSCR 1048 (HHH) HSCR 1409 (CPC) HSCR 1819 (FIN) CCR 145

Current Status: Apr-27 21 Passed Legislature

Section Affected: 329-123, 329-123.5

SB1150 SD1 HD1 CD1 (CCR 56)

RELATING TO SKILLED NURSING FACILITY LICENSING.

Introduced by: Kouchi R (BR)

Establishes provisions relating to skilled nursing facilities. Requires all skilled nursing facilities to be licensed by the department of health to ensure the health, safety, and welfare of the individuals placed therein. Requires the director of health to adopt rules to provide for the licensing of skilled nursing facilities. Requires rules to provide that accreditation by the Joint Commission or other nationally recognized accreditation or certification organization demonstrates a skilled nursing facility's compliance with all licensing inspections required by the State. Allows the rules to exempt a skilled nursing facility from a licensing inspection on a continuing basis throughout the term of the accreditation or certification under the specified conditions. Requires rules to provide that allows the department of health to conduct inspections and investigations of exempt skilled nursing facilities regarding complaints, adverse accreditation or certification findings, or periodic validation surveys. -- SB1150 CD1

Committee Reports: SSCR 167 (HTH) SSCR 617 (CPN) HSCR 1394 (HHH) HSCR 1672 (CPC) CCR 56

Current Status: Apr-27 21 Passed Legislature

Section Affected: 321- (1 SECTION) SKILLED NURSING FACILITIES

SB1162 SD2 HD1 CD1 (CCR 99)

RELATING TO FOREST STEWARDSHIP.

Introduced by: Kouchi R (BR)

Amends provisions relating to findings and purpose under forest stewardship law. Changes the terms privately owned to privately managed. -- Amends provisions relating to definition. Defines program implementation agreement to mean a written forest stewardship management contract between the board and program applicant. -- Amends provisions relating to establishment of the forest stewardship program. Establishes a forest stewardship program to be administered by the board of land and natural resources to assist landowners of privately managed forest lands to manage, protect, and restore important watersheds, native vegetation, forest resources, forest products, fish and wildlife habitats, isolated populations of rare and endangered plants, and other lands that are not recognized as potential natural area reserves. -- Amends provisions relating to forest stewardship management plans; approved activities. Requires the board and other cooperating natural resource management agencies to develop a list of approved management activities and practices that shall be eligible for cost share assistance under the program in the following areas by adding management for non native forest products; provided that the land was not previously cleared of native vegetation for the purpose of non native forest production. -- Amends provisions relating to qualifications and

SENATE BILLS THAT PASSED THE LEGISLATURE

conditions under forest stewardship law. Prohibits payments from the forest stewardship fund to exceed 75 per cent of the total cost of the landowner in developing an approved management plan; and 50 per cent of the total cost of the landowner in implementing an approved management plan. Requires that to receive funds under the forest stewardship program, an applicant to be a landowner of privately managed forest land that is not managed under existing federal, state, or private sector financial and technical assistance programs and that is not recognized as a potential natural area reserve. Adds that to enter into a program implementation agreement with the board upon approval of the forest stewardship management plan by the board for implementation of all or selected portions of the forest stewardship management plan. Requires that upon approval of the program implementation agreement by the board, the applicant to follow guideline provisions as specified. -- SB1162 CD1

Committee Reports: SSCR 535 (WTL) SSCR 886 (WAM) HSCR 1364 (WAL/ EEP/)
HSCR 1832 (FIN) CCR 99

Current Status: Apr-27 21 Passed Legislature

Section Affected: 195F-1, 195F-2, 195F-3, 195F-5, 195F-6

SB1166 SD2 HD2 (HSCR 1500)

RELATING TO RENTALS FOR PUBLIC LAND LEASES.

Introduced by: Kouchi R (BR)

Amends provisions relating to powers under the public lands, management and disposition of law. Provides that when a lease for resort, commercial, industrial, or other business or residential purposes requires a lessee to demolish existing improvements or provide basic infrastructure including drainage, sewer, water, electricity, and other utilities before the lessee can make productive use of the land, the board land and natural resources may approve a reduction or waiver of lease rental of up to 20 years; provided that the aggregate amount of the reduced or waived lease rental shall not exceed the amount of the lessee's total expenditures for demolition or provision of the infrastructure. Act to be repealed on June 30, 2026 (sunset). -- SB1166 HD2

Committee Reports: SSCR 140 (WTL) SSCR 825 (WAM) HSCR 1025 (WAL) HSCR
1500 (JHA) HSCR 1713 (FIN)

Current Status: Apr-20 21 Received by the Governor

Section Affected: 171-6

SB1187 SD2 HD2 (HSCR 1834)

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY.

Introduced by: Kouchi R (BR)

Appropriation to the department of public safety for fiscal year 2020 - 2021 to cover the shortfall for personnel services costs. (\$\$) -- SB1187 HD2

Committee Reports: SSCR 248 (PSM) SSCR 967 (WAM) HSCR 1336 (CMV) HSCR
1834 (FIN)

Current Status: Apr-23 21 Received by the Governor

SB1194 SD1 HD2 (HSCR 1835)

MAKING EMERGENCY APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC SAFETY RELATING TO COVID-19 EXPENDITURES.

Introduced by: Kouchi R (BR)

Appropriation to the department of public safety for healthcare professional costs and inmate hospitalization expenses at non state facilities for Hawaii inmates; for providing food services and deep cleaning, disinfecting, and sanitizing departmental offices and correctional facilities; for security costs, overtime and other payroll costs for 10.00 existing full time equivalent (10.00 FTE) deputy sheriff positions to continue security screening and protocols for the safe travels Hawaii program. (COVID-19, COVID 19, coronavirus) (\$\$) -- SB1194 HD2

Committee Reports: SSCR 246 (PSM) SSCR 887 (WAM) HSCR 1357 (PDP/ CMV/)
HSCR 1835 (FIN)

Current Status: Apr-23 21 Received by the Governor

SB1196 SD2 HD1 CD1 (CCR 142)

RELATING TO WITHHOLDING TAX.

Introduced by: Kouchi R (BR)

Amends provisions relating to statements to employees. Changes the date for the employer to file a duplicate copy of each statement to January 31 following the close of the calendar year. Provides that an employer that wilfully fails to furnish the statement to the employee by the prescribed due date; fails to file the statement with the department by the prescribed due date; or fails to electronically file the statement with the department of taxation if the employer is required to file electronically shall be subject to a penalty of 25 dollars per failure; provided that the penalty imposed under this provision

SENATE BILLS THAT PASSED THE LEGISLATURE

shall not exceed 50 dollars per employee. -- SB1196 CD1
Committee Reports: SSCR 54 (JDC) SSCR 888 (WAM) HSCR 1232 (ECD) HSCR
1861 (FIN) CCR 142
Current Status: Apr-27 21 Passed Legislature
Section Affected: 235-63

SB1202 SD1 HD2 CD1 (CCR 104)

RELATING TO TAXATION.

Introduced by: Kouchi R (BR)

Establishes provisions relating to chapter 235 and chapter 237 applicable. Provides that all of the provisions of income tax law and general excise tax law not inconsistent with this law and that may appropriately be applied to the taxes, persons, circumstances, and situations involved in this law, including (without prejudice to the generality of the foregoing) provisions as to penalties and interest, and provisions granting administrative powers to the director of taxation, and provisions for the assessment, levy, and collection of taxes, shall be applicable to the taxes imposed by this law, and to the assessment, levy, and collection thereof. -- Amends provisions relating to distributors to register and be licensed. Provides that any license issued under this law shall not be assignable and shall be conspicuously displayed on the licensed premises of the licensee. Provides that whenever a license is defaced, destroyed, or lost, or the licensed premises are relocated, the department of taxation may issue a duplicate license to the licensee upon the payment of a fee of 50 cents. Allows the department to suspend or revoke any license issued under this law whenever the department finds that the licensee has failed to comply with this law or any rule adopted under this law, or for any other good cause. -- Amends provisions relating to retail dealers, permits; certificates. Requires any entity that operates as a distributor and also sells fuel to consumers at retail to acquire a separate retail dealer permit. Requires a retail dealer permit to be nonassignable and nontransferable from 1 entity to another entity. A retail dealer permit may be transferred from 1 business location to another business location after an application has been filed with the department of taxation requesting the transfer and approval has been obtained from the department. Requires a retail dealer permit issued under this provision to be displayed at all times in a conspicuous place at the place of business requiring the permit. Allows the department to suspend, revoke, or decline to renew any permit issued under this law whenever the department finds that the applicant or permittee has failed to comply with this law or any rule adopted under this law, or for any other good cause. -- Amends provisions relating to the liquor tax law. Redefines dealer to include a winery's license, or a small craft producer's license under the liquor law. -- Amends provisions relating to permit. Repeals the requirement that the liquor commission certify to the department of taxation information about dealers from time to time and within 48 hours after such license is issued. Allows the department to suspend, revoke, or decline to renew any permit issued under this law whenever the department finds that the applicant or permittee has failed to comply with this law or any rule adopted under this law, or for any other good cause. -- Amends provisions relating to the cigarette tax and tobacco tax laws. -- Amends provisions relating to license. Provides that any license issued under this law shall not be assignable and shall be conspicuously displayed on the licensed premises of the licensee. Provides that whenever a license is defaced, destroyed, or lost, or the licensed premises are relocated, the department may issue a duplicate license to the licensee upon the payment of a fee of 50 cents. Provides that good cause includes but is not limited to instances where an applicant or licensee has failed to comply with, violated, or been convicted of violating any county, state, or federal law directly pertaining to the sale, importation, acquisition, possession, stamping, distribution, transportation, or smuggling of cigarettes, counterfeit cigarettes, counterfeit tax stamps, or other tobacco products; or failed to maintain complete and accurate records when and if required to be kept. Requires the department to provide no less than 30 days' notice to the applicant or licensee of a hearing afforded under this provision. -- Amends provisions relating to retail tobacco permit. Provides that good cause includes but is not limited to instances where an applicant or permittee has failed to comply with, violated, or been convicted of violating any county, state, or federal law directly pertaining to the sale, importation, acquisition, possession, stamping, distribution, transportation, or smuggling of cigarettes, counterfeit cigarettes, counterfeit tax stamps, or other tobacco products; or failed to maintain complete or accurate records when and if required to be kept. Requires the department to provide no less than 30 days' notice to the applicant or permittee of a hearing afforded under this provision. -- Repeals the license taxes payable monthly under the fuel tax law. -- Repeals monthly report on distributions of cigarettes and tobacco products, and purchase of stamps under the cigarette tax and tobacco tax law. -- SB1202 CD1

SENATE BILLS THAT PASSED THE LEGISLATURE

Committee Reports: SSCR 292 (WAM) HSCR 986 (ECD) HSCR 1428 (CPC) HSCR 1686 (FIN) CCR 104
Current Status: Apr-27 21 Passed Legislature
Section Affected: 243- (1 SECTION), 243-2, 243-3, 243-10, 244D-1, 244D-2, 245-2, 245-2.5, 245-9, 245-33, 243-8, 245-31

SB1203 SD1 HD1 CD1 (CCR 105)

RELATING TO TITLE 14, HAWAII REVISED STATUTES.

Introduced by: Kouchi R (BR)

Amends title 14, Hawaii revised statutes (taxation), to make nonsubstantive changes for clarity and to delete obsolete provisions. -- SB1203 CD1

Committee Reports: SSCR 587 (WAM) HSCR 987 (ECD) HSCR 1802 (FIN) CCR 105

Current Status: Apr-27 21 Passed Legislature

Section Affected: 231-1, 231-15.7, 231-31, 235-7, 235-12.5, 235-51, 235-62, 235-99, 237-30, 237-33, 237-34, 237-37, 237D-6.5, 237D-7, 237D-1, 237D-8, 238-5, 239-4, 243-1, 243-3.5, 243-10, 244D-4, 244D-6, 245-2.5, 245-9, 245-41, 251-1, 251-5, 251-7, 235-5.6, 235-111.5, 239-11, 239-12, 243-8, 245-31, 235-2.45, 257-10

SB1204 SD2 HD2 CD1 (CCR 135)

RELATING TO TAX APPEALS.

Introduced by: Kouchi R (BR)

Amends provisions relating to department of taxation. Requires to be within the department of taxation a taxation board of review and a tax appeal court. Requires the composition of the taxation board of review and the tax appeal court and their respective functions, duties, and powers to be as provided in tax appeal law. -- Amends provisions relating to appointment, removal, compensation by changing title to taxation board of review; appointment, removal, compensation. Creates a taxation board of review for the State. Requires the board to consist of no more than 10 members who shall be residents of the State and shall be appointed and be removable by the governor. Requires any vacancy in the board to not impair the authority of the remaining members to exercise all the powers of the board. Allows the governor to appoint, without regard to provisions relating to selection and terms of members of boards and commissions, an acting member of the board during any member's temporary absence from the State, temporary inability to act due to recusal, disqualification, or illness. Provides that an acting member, during the acting member's term of service, shall have the same powers and duties as the regular member; provided further that an acting member appointed due to a regular member's recusal or disqualification shall be appointed for the case in which the recusal or disqualification occurred, and the acting member's appointment shall terminate when the final decision is filed or the case is withdrawn. -- Amends provisions relating to boards of review; duties, powers, procedure before by changing title to taxation board of review; duties, powers, procedure before. Replaces board of review for each district with single taxation board of review. Requires at least 3 board members to be present at any meeting or proceeding of the board to constitute a quorum. Allows taxpayers and others appearing before the board to also participate via teleconference or any other cost efficient means of the board's choosing. -- SB1204 CD1

Committee Reports: SSCR 562 (GVO) SSCR 972 (WAM/ JDC/) HSCR 1023 (ECD) HSCR 1445 (JHA) HSCR 1803 (FIN) CCR 135

Current Status: Apr-27 21 Passed Legislature

Section Affected: 26-10, 232-1, 232-6, 232-7, 232-13, 232-14, 232-14.5, 232-15, 232-16, 232-17, 232-18, 232-20, 232-22, 232-23, 232-24, 235-114

SB1212 SD2 HD2 CD1 (CCR 53)

RELATING TO MOTOR VEHICLE REGISTRATION.

Introduced by: Kouchi R (BR)

Amends provisions relating to highway safety under motor vehicle registration. Defines out of service order to mean a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction that a driver, commercial motor vehicle, or motor carrier operation is out of service pursuant to title 49 Code of Federal Regulations sections 386.72, 392.5, 392.9a, 395.13, or 396.9, or title 49 US Code section 31106(b)(2), or compatible laws, or the North American Standard Out of Service Criteria. -- Amends provisions relating to application for registration; full faith and credit to current certificates; this part not applicable to certain equipment. Prohibits any motor carrier, as defined in provisions relating to motor carrier safety law, that has not resolved any outstanding federal operations out of service order issued by the US Secretary of Transportation to complete an initial registration of a motor carrier vehicle until all federal operations out of service orders are resolved. -- Amends provisions relating to

SENATE BILLS THAT PASSED THE LEGISLATURE

registration, expense. Allows the director of finance of each county to adopt rules to carry out the purposes stated in this section and shall expend the necessary funds from the director's operating funds as may be necessary for these purposes; provided that the director of finance, if the director has ascertained as of the date of the application that the registered owner has not deposited or paid bail with respect to any summons or citation issued to the registered owner for stopping, standing, or parking in violation of traffic ordinances within the county, or the registered owner of a motor carrier vehicle, as defined in provisions relating to motor carrier safety law, has not resolved any outstanding federal operations out of service orders issued by the US Secretary of Transportation, may require, as a condition precedent to the renewal, that the registered owner deposit or pay bail with respect to all such summonses or citations, or resolve all federal operations out of service orders. Requires any certificate of registration belonging to a motor carrier to be suspended or revoked when that motor carrier has been issued any federal operations out of service orders by the US Secretary of Transportation and that certificate of registration shall remain suspended or revoked until all the federal operations out of service orders are resolved. -- SB1212 CD1

Committee Reports: SSCR 542 (TRS) SSCR 645 (CPN) HSCR 1332 (TRN) HSCR 1661 (CPC) CCR 53

Current Status: Apr-27 21 Passed Legislature

Section Affected: 286-2, 286-41, 286-51

SB1220 SD1 (SSCR 439)

RELATING TO CRIMINAL HISTORY RECORD CHECKS.

Introduced by: Kouchi R (BR)

Amends provisions relating to criminal history record checks. Allows criminal history record checks to be conducted by the university of Hawaii on current and prospective employees, and contractors and their employees, whose duties include ensuring the security of campus facilities and persons. -- SB1220 SD1

Committee Reports: SSCR 439 (HRE/ LCA/) SSCR 680 (JDC) HSCR 994 (LAT) HSCR 1501 (JHA) HSCR 1682 (FIN)

Current Status: Apr-09 21 Received by the Governor

Section Affected: 846-2.7

SB1222 SD2 HD1 CD1 (CCR 19)

RELATING TO THE CONFERENCE CENTER REVOLVING FUND.

Introduced by: Kouchi R (BR)

Amends provisions relating to conference center revolving fund; university of Hawaii at Hilo. Changes the fund to be for conference center programs conducted by the university of Hawaii at Hilo. Authorizes the chancellor of the university at Hilo or the chancellor's designee to expend funds from the revolving fund for all costs associated with conferences, seminars, and courses provided by conference center programs, including but not limited to expenses for honoraria, hotel and room rentals, food and refreshment, printing and mailing, airfare and per diem, lei, rental of audiovisual equipment, and conference supplies and materials, without regard to any competitive bidding requirements pursuant to the Hawaii public procurement code. Annual report to the legislature. -- SB1222 CD1

Committee Reports: SSCR 258 (HRE) SSCR 799 (WAM) HSCR 1219 (HET) HSCR 1796 (FIN) CCR 19

Current Status: Apr-27 21 Passed Legislature

Section Affected: 304A-2272

SB1225 SD1 HD1 CD1 (CCR 23)

RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE.

Introduced by: Kouchi R (BR)

Amends provisions relating to independent audit committee; established; powers; duties. Requires the chair of the independent audit committee to be selected in a manner consistent with the bylaws of the board of regents. Exempts the independent audit committee from administrative procedure law and part I of public agency meetings and records law to the extent that the independent audit committee is engaging in discussions with internal or external auditors on matters that should remain confidential in accordance with nationally recognized best practices for independent audit committees, or in proceedings arising from an investigation by the independent audit committee relating to potentially actionable civil or criminal conduct, regardless of whether the investigation is pending or outstanding. Provides that at the discretion of the chair of the independent audit committee, discussions under this provision may be held in the absence of the president of the university of Hawaii or the chief financial officer of the university. -- Establishes provisions relating to findings of significant issues; implementation of

SENATE BILLS THAT PASSED THE LEGISLATURE

corrective and remedial action. Provides that in the event an investigation or audit performed by the independent audit committee, internal auditor, or external auditor, or any audit report reviewed by the independent audit committee finds significant issues with an operation or program of the university of Hawaii, including non compliance or possible non compliance with any applicable law, ordinance, rule, or regulation, or any applicable board of regent policy or executive policy of the university, and the findings recommend or warrant corrective or remedial action to be taken by the university, the independent audit committee shall immediately notify the board of regents in writing of the significant issue and the corrective and remedial action warranted or recommended to be taken. Requires the board of regents to review the progress reports submitted by the university pursuant to this provision and take appropriate action to ensure timely implementation of the corrective or remedial action. Provides that upon completion of the university's implementation of the corrective or remedial action, the board of regents shall take action to ensure that the underlying significant issue has been appropriately corrected and remedied. -- SB1225 CD1

Committee Reports: SSCR 425 (HRE) SSCR 679 (JDC) HSCR 1220 (HET) HSCR 1797 (JHA) CCR 23
Current Status: Apr-27 21 Passed Legislature
Section Affected: 304A-321, 304A- (1 SECTION)

SB1270

RELATING TO THE WORKFORCE DEVELOPMENT COUNCIL.

Introduced by: Ihara L

Amends provisions relating to council; appointment; tenure under the Hawaii workforce development council law. Requires the council to be constituted as provided by P.L. 113-128 (29 U.S.C. 3111) of the administrator of the division of vocational rehabilitation, department of human services, as an ex officio, voting member. -- SB1270

Committee Reports: SSCR 485 (LCA/ HMS/) SSCR 931 (JDC) HSCR 1334 (LAT) HSCR 1800 (JHA)

Current Status: Apr-14 21 Received by the Governor
Section Affected: 202-1

SB1291 SD1 HD1 CD1 (CCR 66)

RELATING TO TRANSPORTATION.

Introduced by: Inouye L

Amends provisions relating to definitions under highway safety law. Redefines motorcycle to include handlebar. -- Amends provisions relating to motorcycle, motor scooter, etc.; protective devices. Adds that exempts a safety helmet requirement for a motorcycle or motor scooter to include has a roll bar, roll cage, or full body enclosed cab. -- SB1291 CD1

Committee Reports: SSCR 179 (TRS) SSCR 677 (JDC) HSCR 1372 (TRN) HSCR 1671 (CPC) CCR 66

Current Status: Apr-27 21 Passed Legislature
Section Affected: 286-2, 286-81

SB1313 SD2 HD2 CD1 (CCR 55)

RELATING TO SPORT FISH.

Introduced by: Dela Cruz D

Provides that no later than January 1, 2023, the division of aquatic resources of the department of land and natural resources shall establish a pilot project to restock northern largemouth bass, butterfly peacock bass, or both, in the Wahiawa public fishing area in central Oahu; provided that the board of agriculture has placed the northern largemouth bass and the butterfly peacock bass on the list of restricted animals that require a permit for import into the State maintained pursuant to provisions relating to animal import. Requires the division of aquatic resources to apply to the board of agriculture for the permit to import the northern largemouth bass and butterfly peacock bass and may work with another public entity or partner with a private entity to accomplish the pilot project. -- SB1313 CD1

Committee Reports: SSCR 334 (AEN/ WTL/) SSCR 733 (JDC/ WAM/) HSCR 989 (WAL) HSCR 1512 (CPC) HSCR 1714 (FIN) CCR 55

Current Status: Apr-27 21 Passed Legislature

SB1327 SD1 (SSCR 593)

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.

Introduced by: Kouchi R (BR)

SENATE BILLS THAT PASSED THE LEGISLATURE

Amends or repeals various provisions of the Hawaii revised statutes and the session laws of Hawaii for the purpose of correcting errors, clarifying language, correcting references, and deleting obsolete or unnecessary provisions. -- SB1327 SD1

Committee Reports: SSCR 593 (JDC) HSCR 1715 (JHA)

Current Status: Apr-14 21 Received by the Governor

Section Affected: 266-3, 266-19, 268-9, 291E-19, 302A-1165, 302A-1166, 328G-2, 346-186, 436M-8, 437-1.1, 437B-12, 440G-3, 443B-3.5, 444-16, 444-26, 456-17, 458-13, 459-1.5, 459-2, 467-30, 652-2, 36-35

SB1329 SD2 HD3 CD1 (CCR 136)

RELATING TO PROCUREMENT.

Introduced by: Kim D, Chang S, Inouye L, Lee C, Misalucha B, Moriwaki S, Riviere G, San Buenaventura J

Amends provisions relating to authority to resolve protested solicitations and awards. Requires the chief procurement officer or a designee to resolve any protest as expeditiously as possible. Provides that if the protest is not resolved by mutual agreement, the chief procurement officer or a designee shall issue a written decision to uphold or deny the protest. Provides that if the protest of a construction contract or airport contract that is awarded pursuant to provisions relating to competitive sealed bidding or provisions relating to competitive sealed proposals is not resolved by mutual agreement, the chief procurement officer or a designee shall issue a written decision to uphold or deny the protest within 75 calendar days of receipt of the protest; provided that the chief procurement officer or a designee may grant an extension based on written justification of the extenuating circumstances; provided further that the extension shall not exceed 45 calendar days. -- Amends provisions relating to administrative proceedings for review. Requires the party initiating a proceeding falling within this provision to pay to the department of commerce and consumer affairs a cash or protest bond in the amount of 1 per cent of the estimated value of the contract. -- SB1329 CD1

Committee Reports: SSCR 554 (GVO) SSCR 851 (JDC/ WAM/) HSCR 1083 (GVR) HSCR 1486 (CPC) HSCR 1843 (FIN) CCR 136

Current Status: Apr-27 21 Passed Legislature

Section Affected: 103D-701, 103D-709

SB1340 SD2 HD2 CD1 (CCR 147)

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Dela Cruz D

Establishes provisions relating to licensure consistent with levels of practice; licensure of emergency medical technician 1 under emergency medical services law. Requires the Hawaii medical board to issue licenses upon application therefor, consistent with the following levels of practice, emergency medical technician 1; emergency medical technician; advanced emergency medical technician; or mobile intensive care technician or paramedic. Requires that beginning July 1, 2022, the Hawaii medical board to accept applications for licensure as an emergency medical technician 1; provided that the applicant shall meet requirements and pay fees as specified. Requires any emergency medical technician 1 licensed under this provision to document care in a pre hospital emergency medical records system compatible with the emergency medical services system's pre hospital medical records system. Requires emergency medical technicians 1 to practice under a physician or osteopathic physician licensed pursuant to this law; and restrict their scope of practice to the performance of basic emergency medical care of patients. Provides that licensure under this provision is limited to individuals whose practice is performed in a county with a population of 500,000 or greater. -- Amends provisions relating to emergency medical services personnel, training programs. Changes certification to licensure. -- Amends provisions relating to license required; exceptions. Requires nothing herein to apply or prohibit as specified. -- Amends provisions relating to emergency ambulance service personnel. Requires the practice of any emergency medical services by any individual employed by an emergency ambulance service who is not licensed under part I of this law or under nurses law to be subject to licensure under this provision. Requires in the event of any conflict between this part and any rules adopted under provisions relating to license required; exceptions, this provision to control with regard to emergency ambulance service personnel. Requires the Hawaii medical board to define the scope of the practice. -- Amends provisions relating to certification of emergency ambulance personnel, changing the title to license requirements for emergency medical services. Requires the Hawaii medical board to issue licenses to individuals qualified in emergency medical services, upon application therefor; provided that the applicant for licensure holds and meets requirements as specified. Requires licensure under this provision to be a prerequisite to the practice of emergency medical services as an employee of an emergency

SENATE BILLS THAT PASSED THE LEGISLATURE

ambulance service. Requires the Hawaii medical board to provide standard application forms for the licensure under this provision, and shall provide for the periodic renewal of such license. Sets fees and restrictions. -- Amends provisions relating to renewal of certification, changing the title to renewal of licensure. Requires every person holding a license under this provision to renew the license with the board no later than January 31 of each even numbered year, pay a renewal fee, and comply with the continuing education requirements set forth in the board's rules. Sets forfeiture of license allowances. -- Amends provisions relating to temporary certification, by changing the title to provisional licensure. Sets restrictions and allowances. -- Amends provisions related to limited temporary certification, by changing the title to limited provisional licensure. Requires the Hawaii medical board to approve limited provisional licensure of an applicant under this provision if the applicant has as specified. Sets restrictions. -- Appropriation out of the compliance resolution fund for the Hawaii medical board to establish and hire a 0.5 full time equivalent (0.5 FTE) permanent position for the purposes of this Act. -- Requires this Act to take effect on July 1, 2021; provided that provisions relating to licensure consistent with levels of practice; licensure of emergency medical technician 1 shall be repealed on July 1, 2027 (sunset). (\$\$) -- SB1340 CD1
Committee Reports: SSCR 321 (HTH) SSCR 715 (CPN) HSCR 1050 (HHH) HSCR 1511 (CPC) HSCR 1818 (FIN) CCR 147
Current Status: Apr-27 21 Passed Legislature
Section Affected: 453- (1 SECTION), 321-229, 453-2, 453-31, 453-32, 453-32.1, 453-32.5, 453-32.51, 453-32.6

SB1350 SD1 HD2 CD1 (CCR 159)

RELATING TO STATE GOVERNMENT.

Introduced by: Rhoads K

Amends Act 2, session laws of 2020, relating to state funds. Provides that notwithstanding any law to the contrary and notwithstanding the legislature not disapproving the commission on salaries' recommendation for salary increases by adoption of a concurrent resolution in 2019, beginning on July 1, 2020, and continuing through December 31, 2022, the annual salaries of the governor, lieutenant governor, justices and judges of all state courts, administrative director of the State or an equivalent position, and department heads or executive officers and the deputies or assistants to the department heads or executive officers of the departments of accounting and general services; agriculture; the attorney general; budget and finance; business, economic development, and tourism; commerce and consumer affairs; defense; Hawaiian home lands; health; human resources development; human services; labor and industrial relations; land and natural resources; public safety; taxation; and transportation, shall remain at the salary rate as of June 30, 2020; provided that on January 1, 2023, the salaries of these positions shall be adjusted pursuant to the salary recommendations of the commission on salaries to the level they would have been on July 1, 2022, without the delay under this Act; provided further that the salary recommendations of the commission on salaries for these positions effective July 1, 2023, and July 1, 2024, shall become effective on that date in accordance with the recommendations. -- Provides that notwithstanding any law to the contrary and notwithstanding the legislature not disapproving the commission on salaries' recommendation for salary increases by adoption of a concurrent resolution in 2019, beginning on January 1, 2021, and continuing through December 31, 2022, the annual salaries of members of the legislature shall remain at the salary rate as of June 30, 2020; provided that on January 1, 2023, the salaries of the legislators shall be adjusted pursuant to the salary recommendations of the commission on salaries to the level they would have been on January 1, 2023, without the delay under this Act; provided further that the salary recommendations of the commission on salaries for legislators effective January 1, 2024, shall become effective on that date in accordance with the recommendations. Provides that this provision shall not be enforced to the extent that it is preempted by federal law. -- Amends provisions relating to publication of notice. Provides that for purposes of publishing a proposed, revised, or final reapportionment plan, public notice shall be permitted in a short form; provided that each short form public notice shall include the following information whether the reapportionment plan has been either proposed, revised, or adopted; the online location to view the reapportionment plan; a list of the location of each public office where the hard copies of the reapportionment plan and maps are available; and the public hearing dates. -- Amends provisions relating to nomination papers; when available. Requires nomination papers to be made available from the 1st working day of March in every even numbered year; provided that in the case of a special primary or special election, nomination papers shall be made available at least 10 days before the close of filing. -- Amends provisions relating to duties under reapportionment law. Provides that

SENATE BILLS THAT PASSED THE LEGISLATURE

for purposes of legislative reapportionment, a permanent resident means a person having the person's domiciliary in the State. Provides that in determining the total number of permanent residents for purposes of apportionment among the 4 basic island units, the commission shall only extract non permanent residents from the total population of the State counted by the US Census Bureau for the respective reapportionment year. Appropriation. (\$\$) -- Specific provision to be repealed on November 9, 2022 and specific section to be reenacted. (COVID-19, COVID 19, coronavirus) -- SB1350 CD1

Committee Reports: SSCR 762 (GVO/ WAM/ JDC/) HSCR 1476 (JHA) HSCR 1795 (FIN) FLOOR AMENDMENT 1 CCR 159

Current Status: Apr-27 21 Passed Legislature

Section Affected: ACT 2 2020, 1-28.5, 12-2.5, 25-2

SB1384 HD1 CD1 (CCR 29)

RELATING TO EDUCATION.

Introduced by: Kidani M, Chang S, Fevella K, Shimabukuro M

Amends provisions relating to the early learning board. Requires the members of the board to serve staggered terms; the representative of Hawaiian medium early learning providers shall serve a 2 year term; provided that the prohibition against serving more than 2 consecutive terms not to exceed 8 consecutive years pursuant to provisions relating to selection and terms of members of boards and commissions shall not apply to the representative of Hawaiian medium early learning providers' term limit. Act to be repealed on June 30, 2025 (sunset). -- SB1384 CD1

Committee Reports: SSCR 74 (EDU) SSCR 678 (JDC) HSCR 1349 (EDN) HSCR 1810 (FIN) CCR 29

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302L-1.6

SB1387 SD1 HD2 CD1 (CCR 62)

RELATING TO MICROCHIP IDENTIFICATION.

Introduced by: Kidani M, Chang S, Fevella K, Inouye L, Misalucha B, Nishihara C

Establishes provisions relating to microchip identification. Requires an owner to have a microchip implanted in the owner's dog or cat, and the owner shall register the microchip number and the owner's contact information with a microchip registration company. Requires that nothing in this provision to be construed to apply to animals being cared for as part of a designated population management program. -- Amends provision relating to license required by changing its title to license or microchip required. Prohibits any person to own or harbor a dog unless the dog has been implanted with a microchip identification as provided by this law; or a cat unless the cat has been implanted with a microchip identification as provided by this law; provided that this law shall not apply to dogs or cats under the age of 3 months or dogs or cats brought into the State exclusively for the purpose of entering them in a dog or cat show or exhibition and not allowed to run at large. -- SB1387 CD1

Committee Reports: SSCR 592 (JDC) HSCR 1330 (AGR) HSCR 1659 (CPC) CCR 62

Current Status: Apr-27 21 Passed Legislature

Section Affected: 143- (1 SECTION), 143-1, 143-2

SB1402 SD2 HD1 CD1 (CCR 109)

RELATING TO TRANSPORTATION.

Introduced by: Lee C, Chang S, Keith-Agaran G, Keohokalole J, Misalucha B

Establishes provisions relating to ground transportation facilities. Requires the department of transportation to develop and implement a plan for the establishment of a contiguous network of motor vehicle highways connecting communities throughout each island, in which intersections with other modes of transportation to be minimized and a priority and preference for access to be given to public mass transportation; a contiguous network of bicycle and electric bicycle highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation to be minimized; provided that the bicycle and electric bicycle highways and pathways to be separated and protected from vehicular traffic by physical or natural barriers or by meaningful distance or elevation; and a contiguous network of pedestrian highways or pathways connecting communities throughout each island, in which intersections with other modes of transportation to be minimized; provided that the pedestrian highways and pathways to be separated and protected from vehicular and bicycle traffic by physical or natural barriers, or by meaningful distance or elevation. Further requires the department within each community to coordinate with the applicable county to develop a comprehensive plan for the establishment as specified within the department or county's jurisdiction. -- Establishes provisions relating to ground transportation; project goals; reporting. Provides that when planning, designing, and implementing ground transportation infrastructure for each project, requires the

SENATE BILLS THAT PASSED THE LEGISLATURE

department to assess and maximize total throughput of people across all modes of transportation; achieve any goals described in the complete streets policy adopted; reduce vehicle miles traveled; decrease the percentage of single occupancy vehicles in the State's mode share; provide equity for all communities and users; improve safety and achieve any goals described in the vision 0 policy adopted; reduce user cost of transportation; improve public health; reduce carbon emissions and greenhouse gasses to meet state renewable portfolio standards established and 0 emissions clean economy by 2045; reduce urban temperatures by incorporating tree canopy and foliage over hardened surfaces; and beautify public infrastructure. Annual reports to the legislature. -- Establishes provisions relating to highways, ground transportation, generally. Requires the department to provide for a safe, accessible, equitable, fully multimodal, and sustainable system of ground connections that ensures the accessibility of people and goods, improves economic vitality, public health, livability, and quality of life. -- SB1402 CD1

Committee Reports: SSCR 225 (TRS) SSCR 585 (WAM) HSCR 1333 (TRN) HSCR 1690 (FIN) CCR 109

Current Status: Apr-27 21 Passed Legislature

Section Affected: 264- (4 SECTIONS) GROUND TRANSPORTATION INFRASTRUCTURE

SB1409 SD2 HD1 CD1 (CCR 50)

RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS.

Introduced by: Shimabukuro M, Chang S, Fevella K, Acasio L

Amends provisions relating to training relating to native Hawaiian traditional and customary rights, natural resources and access rights, and the public trust. Requires all newly appointed or reappointed members who fail to complete the training course within the required time period to be prohibited from serving on a permitted interaction group or voting on a matter before their respective council, board, or commission until the mandatory training course is completed; and removed from their respective council, board, or commission at the end of the regular legislative session following the deadline to complete the training course, provided that members shall not be removed if they complete the mandatory training course or obtain the advice and consent of the senate to continue serving on their respective council, board, or commission by the end of the regular legislative session following their deadline to complete the training course. Requires the office of Hawaiian affairs and department of land and natural resources to prepare an annual report of all council, board, and commission members who failed to meet the training requirement in this section as of September 21 of each year, which shall be made available for public inspection at the office of Hawaiian affairs and department of land and natural resources, and submitted to the governor and legislature no later than twenty days prior to the convening of each regular session of the legislature. (Annual report to the legislature). Requires the office of Hawaiian affairs to record the training courses and make the recordings available to council, board, and commission members who have not yet satisfied the training requirement in this provision and who were unable to attend the training course. -- SB1409 CD1

Committee Reports: SSCR 431 (HWN) SSCR 937 (JDC) HSCR 1477 (JHA) HSCR 1708 (FIN) CCR 50

Current Status: Apr-27 21 Passed Legislature

Section Affected: 10-42

SB1412 SD2 HD2 CD1 (CCR 21)

RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE HONOKEA SURF VILLAGE.

Introduced by: Shimabukuro M, Chang S, Gabbard M

Authorizes the issuance of special purpose revenue bonds, with the approval of the governor, to assist HK Management LLC, a Hawaii limited liability company, in financing or refinancing the costs of planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving surf industry center facilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- SB1412 CD1

Committee Reports: SSCR 196 (HWN) SSCR 573 (WAM) HSCR 963 (ECD) HSCR 1862 (FIN) CCR 21

Current Status: Apr-27 21 Passed Legislature

SB1421 SD2 HD2 CD1 (CCR 17)

RELATING TO DUAL USE TECHNOLOGY.

Introduced by: Misalucha B, Chang S, Fevella K, Lee C, Wakai G

Establishes the dual use technology task force within the department of business, economic development and tourism. Requires the dual use technology task force to

SENATE BILLS THAT PASSED THE LEGISLATURE

explore potential dual use technology research and development projects for technology companies; establish high growth new venture company infrastructure development for dual use technology companies; and create ideas for high income job opportunities for Hawaii's residents and graduates of Hawaii's educational institutions. Report to the legislature. Requires the dual use technology task force to be dissolved on July 1, 2025 (sunset). -- SB1421 CD1

Committee Reports: SSCR 407 (HRE/ EET/) SSCR 806 (WAM) HSCR 1435 (ECD/ HET/) HSCR 1863 (FIN) CCR 17

Current Status: Apr-27 21 Passed Legislature

SENATE BILLS THAT PASSED THE LEGISLATURE

(This page is intentionally blank.)

HOUSE BILLS THAT PASSED THE LEGISLATURE

HB0001 HD1 (HSCR 842)

MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, THE OMBUDSMAN, AND THE ETHICS COMMISSION.

Introduced by: Saiki S

Appropriation to the senate and the house of representatives for session and nonsession expenses up to and including June 30, 2022, including the 2021 pre session and regular session expenses. Expenses of the senate to be approved by the president and expenses of the house of representatives to be approved by the speaker. Requires the senate and the house of representatives to have their accounts audited and report to the senate and house of representatives respectively (report to the legislature). Expenses for legislators while traveling abroad shall be 145 dollars a day. -- Appropriation to the auditor for defraying expenses of the office. -- Appropriation to be deposited into the audit revolving fund. -- Appropriation out of the fund to the auditor for the office. -- Appropriation to the legislative reference bureau for defraying expenses. -- Appropriation to the office of the ombudsman for defraying expenses. -- Appropriation to the state ethics commission for defraying expenses. -- Appropriation for accrued vacation payments and vacation transfer payments for any employee leaving the employ of the senate, house of representatives, office of the auditor, legislative reference bureau, office of the ombudsman, and state ethics commission; provided that the appropriate expending agency shall 1st make payments from the vacation payout allocation before expending funds from turnover and vacancy amounts. (\$\$) -- HB0001 HD1

Committee Reports: HSCR 842 (FIN) SSCR 1139 (WAM)

Current Status: Mar-29 21 Received by the Governor

Apr-12 21 Approved by Governor (Act 2 2021)

HB0031

RELATING TO FIREARMS.

Introduced by: Takayama G, Kapela J, LoPresti M, Lowen N, Tam A

Amends provisions relating to storage of firearm; responsibility with respect to minors under firearms, ammunition and dangerous weapons law; and provisions relating to criminally negligent storage of a firearm under offenses against the person law. Redefines minors to mean any person under the age of from 16 to 18 years. -- HB0031

Committee Reports: HSCR 775 (JHA) SSCR 1558 (JDC)

Current Status: Apr-13 21 Received by the Governor

Section Affected: 134-10.5, 707-714.5

HB0033 HD1 SD2 (SSCR 1673)

RELATING TO THE INFORMATION TECHNOLOGY STEERING COMMITTEE.

Introduced by: Takayama G, Kapela J, LoPresti M, Lowen N, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Tam A, Tarnas D

Amends provisions relating to office of enterprise technology services; chief information officer; information technology steering committee; establishment; responsibilities. Requires the information technology steering committee to consist of 13 members, with 4 members to be appointed by the senate president, 4 members to be appointed by the speaker of the house of representatives, 1 member to be appointed by the chief justice, 1 member to be appointed by the governor, 1 member to be appointed by the superintendent of education, and 1 member to be appointed by the president of the university of Hawaii, and may include representatives from executive branch departments, the legislature, and private individuals. Requires the chief information officer to serve as an ex officio member and as the chair of the committee. Requires the committee to select a vice chair from among its members. Requires each member to be appointed for 4 year terms; provided that each member shall hold office until reappointed by the member's respective appointing authority at the end of the member's term or until the member's successor is appointed. Requires the chief information officer to present an annual report of the office of enterprise technology services to the information technology steering committee for public comment and shall thereafter, but no later than twenty days prior to the convening of each regular session of the legislature, submit the annual report to the legislature and the governor. -- HB0033 SD2

Committee Reports: HSCR 262 (HET) HSCR 911 (FIN) SSCR 1104 (GVO) SSCR 1673 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 27-43

HB0053 SD1 CD1 (CCR 181)

RELATING TO STATE BONDS.

Introduced by: Luke S, Cullen T, Yamashita K

Establishes debt limit on general obligation bonds. Authorizes the issuance of general obligation bonds. Authorizes the issuance of general obligation bonds to refund any

HOUSE BILLS THAT PASSED THE LEGISLATURE

general obligation bonds. (\$\$) -- HB0053 CD1
Committee Reports: HSCR 769 (FIN) SSCR 1551 (WAM) CCR 181
Current Status: Apr-28 21 Received by the Governor

HB0054 HD1 SD1 CD1 (CCR 149)

RELATING TO THE STATE BUDGET.

Introduced by: Luke S

Appropriation to the department of budget and finance to be deposited into the emergency and budget reserve fund. -- Amends House Bill No. 200, H.D. 1, S.D. 1, C.D. 1 (2021). Appropriation to the department of budget and finance for Debt Service Payments -- State; provided that of the general fund appropriation for debt service under this provision for fiscal biennium 2021-2023, balances that are unrequired for debt service payments may be used to pay for expenses related to section 39-14, Hawaii Revised Statutes, and for costs of bond issuance, or may be transferred to retirement benefits payments (BUF741-BUF748) and health premium payments (BUF761-BUF768); provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made. -- Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901) to the department of budget and finance to be used for Debt Service Payments -- State; provided that of the appropriation of funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901) for debt service under this provision for fiscal biennium 2021-2023, balances that are unrequired for debt service payments may be used to pay for expenses related to section 39-14, Hawaii Revised Statutes, and for costs of bond issuance, or may be transferred to retirement benefits payments (BUF741-BUF748) and health premium payments (BUF761-BUF768); provided further that the funds shall not be expended for any other purpose; provided further that any unexpended funds shall lapse into the general fund at the end of the respective fiscal year for which the appropriation was made. (\$\$). (COVID-19, COVID 19, coronavirus) -- HB0054 CD1

Committee Reports: HSCR 841 (FIN) SSCR 1552 (WAM) CCR 149
Current Status: Apr-28 21 Received by the Governor

HB0058 HD1 SD1 CD1 (CCR 172)

RELATING TO STATE FUNDS.

Introduced by: Luke S, Cullen T, Yamashita K

Establishes provisions relating to temporary suspension of exemption of certain amounts; levy of tax under the general excise tax law. Requires certain exemptions from taxation under the general excise tax law to be suspended from January 1, 2022, through December 31, 2023. -- Establishes provisions relating to temporary suspension of exemption of certain amounts; levy of tax under the use tax law. Requires certain exemptions from taxation under the use tax law to be suspended from January 1, 2022, through December 31, 2023. -- Amends provisions relating to basis and rate of tax under the conveyance tax law. Increases conveyance taxes for the sale of non commercial properties valued at 4,000,000 dollars or greater. -- HB0058 CD1

Committee Reports: HSCR 337 (WAL/ HSG/) HSCR 789 (FIN) SSCR 1561 (WAM)
CCR 172

Current Status: Apr-28 21 Received by the Governor
Section Affected: 237- (2 SECTIONS), 238- (2 SECTIONS), 247-2

HB0072 HD2 SD2 (SSCR 1612)

RELATING TO ELECTRIC FOOT SCOOTERS.

Introduced by: Nakamura N, Aquino H, Gates C, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Johanson A, Kitagawa L, Kobayashi B, LoPresti M, Lowen N, Marten L, McKelvey A, Morikawa D, Nakashima M, Onishi R, Perruso A, Takayama G, Tam A, Wildberger T, Woodson J

Establishes provisions relating to electric foot scooters; registration. Requires an electric foot scooter to be required to be registered, and shall be subject to a permanent registration fee of 30 dollars, to be paid by the owners thereof to the director of finance to be deposited into the bikeway fund. -- Establishes provisions relating to electric foot scooters. Requires this provision to apply whenever an electric foot scooter is operated upon any highway, street, roadway, or other designated public area set aside for the use of electric foot scooters. Requires every person operating an electric foot scooter upon a roadway to be granted all of the rights and to be subject to all of the duties applicable to a driver of a vehicle under this law. Provides exceptions. Requires the counties by ordinance to regulate operations of electric foot scooters with regard to operations in or upon roadways, bikeways, bicycle paths, and sidewalks; storage and docking locations; restrictions on maximum speed; safety considerations; and insurance requirements.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Prohibits a person under 15 years of age to operate an electric foot scooter on a highway, street, roadway, or any other public property in the State. Prohibits a person under 16 years of age to operate an electric foot scooter unless the person wears a safety helmet securely fastened with a chin strap. Requires the safety helmet to meet the specifications of and requirements for a bicycle helmet as set out in the provisions relating to bicycle helmets. Prohibits any person to operate an electric foot scooter that is carrying any other person, nor shall any person other than the operator ride upon an electric foot scooter. Prohibits a person operating an electric foot scooter to carry any package, bundle, or article that prevents the use of both hands in the control and operation of the electric foot scooter. Requires any electric foot scooter used from 30 minutes after sunset until 30 minutes before sunrise to meet the specifications of and requirements for lamps and other equipment on bicycles. Prohibits a person to operate an electric foot scooter at a speed other than is reasonable and prudent and having regard to the actual and potential hazards and conditions then existing; provided that no person shall operate an electric foot scooter at a speed greater than 15 miles per hour. Establishes penalties. Prohibits a person or entity that provides electric foot scooters for hire to rent or lease an electric foot scooter to any person unless each renter or lessee that is under the age of 16 wears a safety helmet while operating the electric foot scooter and each renter or lessee is provided with a copy of the electric foot scooter ordinances or rules that have been adopted by the applicable county. Requires electric foot scooters to only be stored or docked at specific locations that shall be authorized by the counties. -- Amends provisions relating to definitions under county vehicular taxes law, highway safety law, and statewide traffic code law. Defines electric foot scooter. Redefines moped to exclude electric foot scooter. -- Amends provisions relating to blue lights prohibited for motor vehicles, motorcycles, motor scooters, bicycles, mopeds by adding electric foot scooters and mopeds. -- Amends provisions relating to driving or parking upon bikeway; parking penalty. Adds electric foot scooter. -- Amends provisions relating to obligation to pay personal injury protection benefits. Retains personal injury protection benefits for any individual sustaining injuries while using or operating an electric foot scooter. -- Amends provisions relating to definitions under the offenses against the person law. Redefines vulnerable user to include a person operating an electric foot scooter. -- HB0072 SD2

Committee Reports: HSCR 12 (JHA) HSCR 369 (CPC) HSCR 731 (FIN) SSCR 1092 (TRS) SSCR 1612 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 249- (1 SECTION), 291C- (1 SECTION), 249-1, 286-2, 291-31.5, 291C-1, 291C-123, 431:10C-304, 707-700

HB0073 HD2 SD1 CD1 (CCR 121)

RELATING TO EMERGENCY WORKERS.

Introduced by: Nakamura N, Aquino H, Branco P, DeCoite L, Eli S, Gates C, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, Kobayashi B, LoPresti M, Marten L, Matayoshi S, Mizuno J, Morikawa D, Perruso A, Quinlan S, Tam A, Tarnas D, Tokioka J, Wildberger T, Woodson J

Requires the department of human resources development to review the existing classification and compensation schedules for telecommunications dispatchers, including police, fire, or emergency medical dispatchers, any Hawaii state hospital telephone operators or call takers, and any persons who perform any combination of these functions; emergency dispatchers; and any other telecommunications dispatch personnel who, while operating a 911 automated terminal, uses multiple robust lifesaving procedures and technologies to obtain critical information from the caller, analyzes the information given and, from specialized mapping systems, sends the appropriate and closest available emergency unit, and communicates the best course of action for the caller to take before the arrival of that unit. Allows the department of human resources development to consult with appropriate county human resources personnel to fulfill the purpose of this Act. Report to the legislature. -- HB0073 CD1

Committee Reports: HSCR 265 (JHA) HSCR 889 (FIN) SSCR 1047 (JDC) SSCR 1671 (WAM) CCR 121

Current Status: Apr-28 21 Received by the Governor

HB0077 HD1 SD1 (SSCR 1228)

RELATING TO LANDS CONTROLLED BY THE STATE.

Introduced by: Nakamura N, Har S, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Kitagawa L, Lowen N, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Takayama G, Tam A, Tarnas D, Todd C, Tokioka J, Wildberger T

Amends provisions relating to legislative approval of sale or gift of lands. Exempts this provision to apply to individual sales of the leased fee interest in a leasehold

HOUSE BILLS THAT PASSED THE LEGISLATURE

condominium unit or single family house lot to its lessee by the Hawaii housing finance and development corporation; provided that 1 of the corporation's predecessor agencies approved the sale of the leased fee interest to lessees of the condominium or development in which the unit or house lot is located no later than November 4, 1994; the leased fee interest in more than 50 per cent of all units in the condominium or development in which the unit or house lot is located was sold or otherwise transferred prior to July 13, 2009; the sale is to the lessee of record of the unit or house lot; and the corporation shall submit documentation to the office of Hawaiian affairs at least 3 months before the sale of a unit or house lot under this paragraph, with specified information. -- HB0077 SD1

Committee Reports: HSCR 117 (HSG) HSCR 431 (WAL) HSCR 689 (FIN) SSCR 1228 (WTL/ HOU/) SSCR 1682 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 171-64.7

HB0078 HD1 SD1 (SSCR 1136)

RELATING TO THE UNDERGROUND CONSTRUCTION OF HIGH-VOLTAGE ELECTRIC TRANSMISSION LINES.

Introduced by: Nakamura N, Gates C, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Kitagawa L, Kobayashi B, Lowen N, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Perruso A, Quinlan S, Tam A, Tarnas D, Tokioka J, Wildberger T, Yamashita K

Amends provisions relating to construction of high voltage electric transmission lines; overhead or underground construction. Provides that a public utility shall not be required to seek the public utilities commission approval to place, construct, erect, or otherwise build a high voltage electric transmission system, if the electric transmission system is to be built underground; the entire additional cost due to building underground, rather than above ground, is paid by an entity as a contribution in aid of construction; and prior to commencing construction, the public utility provides a report to the public utilities commission, with a copy to the consumer advocate, describing in detail the electric transmission system and provides sufficient documentation that affirms that the additional costs of building the electric transmission system underground will be paid by an entity other than the public utility; and the public utilities commission shall have 60 days to take action on the report filed, or it shall be assumed that the public utility may proceed with the project. -- HB0078 SD1

Committee Reports: HSCR 9 (EEP) HSCR 308 (CPC) HSCR 921 (FIN) SSCR 1136 (CPN) SSCR 1580 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 269-27.6

HB0079 HD1 SD2 CD1 (CCR 158)

RELATING TO HOUSING.

Introduced by: Nakamura N, Aquino H, DeCoite L, Gates C, Har S, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, Kobayashi B, LoPresti M, Lowen N, Marten L, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Perruso A, Quinlan S, Takayama G, Tarnas D, Tokioka J, Wildberger T, Woodson J

Establishes provisions relating to the affordable homeownership revolving fund. Establishes the fund to be administered by the Hawaii housing finance and development corporation for the purpose of providing, in whole or in part, loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. Requires loans to be awarded to projects or units in projects that are funded by programs of the US Department of Housing and Urban Development, US Department of Agriculture Rural Development, and US Department of the Treasury community development financial institutions fund, wherein at least 50 per cent of the available units are reserved for persons and families having incomes at or below 80 per cent of the median family income and of which at least 5 per cent of the available units are for persons and families having incomes at or below 50 per cent of the median family income; and the remaining units are reserved for persons and families having incomes at or below 120 per cent of the median family income; and mixed income affordable for sale housing projects or units in a mixed income affordable for sale housing project wherein all of the available units are reserved for persons and families having incomes at or below 100 per cent of the median family income. Requires moneys in the fund to be used to provide loans for the development, pre development, construction, acquisition, preservation, and substantial rehabilitation of affordable for sale housing units. Allows the fund to include sums appropriated by the legislature, private contributions, proceeds from repayment of loans, interest, other returns, and moneys from other sources. Allows an amount from the fund,

HOUSE BILLS THAT PASSED THE LEGISLATURE

to be set by the corporation and authorized by the legislature, to be used for administrative expenses incurred by the corporation in administering the fund; provided that moneys in the fund shall not be used to finance day to day administrative expenses of the projects allotted moneys from the fund. Report to the legislature. -- Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2, (Section 9901), to the Hawaii housing finance and development corporation for the purpose of providing, in whole or in part, loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects. (\$\$) -- HB0079 CD1
Committee Reports: HSCR 487 (HSG) HSCR 690 (FIN) SSCR 1099 (HOU) SSCR 1538 (WAM) CCR 158
Current Status: Apr-28 21 Received by the Governor
Section Affected: 201H- (2 SECTIONS) AFFORDABLE HOMEOWNERSHIP REVOLVING FUND

HB0080 HD1 SD1 CD1 (CCR 124)

RELATING TO THE LOW-INCOME HOUSING TAX CREDIT.

Introduced by: Nakamura N, Aquino H, Belatti D, DeCoite L, Gates C, Har S, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Johanson A, Kitagawa L, Kobayashi B, Lowen N, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Perruso A, Quinlan S, Takayama G, Tam A, Tarnas D, Wildberger T

Amends provisions relating to low income housing income tax credit. Allows each taxpayer subject to the tax imposed by this law, who has filed a net income tax return for a taxable year to claim a low income housing tax credit against the taxpayer's net income tax liability. Allows a credit under this provision to be allocated by a partnership or limited liability company in any manner agreed to by the parties or members regardless of whether the individual or entity to receive the credit is deemed to be a partner or member for federal income tax purposes, so long as the individual or entity is deemed to be a partner or member pursuant to applicable state law. Allows the credit to be claimed whether or not the taxpayer is eligible to be allocated a federal low income housing tax credit pursuant to section 42 of the Internal Revenue Code. Requires all claims for a tax credit under this provision to be filed on or before the end of the 12th month following the close of the taxable year for which the credit may be claimed and shall include a copy of Form 8609 issued by the corporation with respect to the building; provided that with respect to the 1st year that the credit is claimed for a qualified low income housing project, if the taxpayer has not yet received the Form 8609 prior to the time the taxpayer files its original tax return claiming the credit under this provision, the taxpayer may claim the credit based upon the amount of credit set forth in the carryover allocation or 42(m) letter, as applicable, issued to the qualified low income housing project, and upon receipt of the Form 8609, the taxpayer shall amend its tax return to include the Form 8609; and if the credit amount in the Form 8609 is different than the amount of credit previously claimed, adjust the credit amount claimed on its amended return. Provides that for any qualified low income building placed in service under this provision after December 31, 2020; section 453 (with respect to the installment method), section 465 (with respect to deductions limited to amount at risk), and section 469 (with respect to passive activity losses and credits limited) of the Internal Revenue Code shall not be operative with respect to investments made in buildings and projects claiming the credit under this provision; all allocations to partners or members of their distributive shares of income, loss, and deductions under income tax law shall be made in accordance with the written agreement of the partners or members; the total amount of state credits allocated by the corporation for the qualified low income building shall not exceed 50 per cent of the total amount of federal credits allocated to the building for the 10 year federal credit period; and the deductions and expenses claimed by all Hawaii taxpayers on Hawaii income tax returns shall not exceed the deductions and expenses claimed by all taxpayers on federal returns; provided that this provision shall not apply to any building that ceases to serve low income households in accordance with federal and state low income housing tax credit programs. -- Amends Act 129, session laws of 2016, relating to administration of low income housing credit, by extending the repeal date to December 31, 2027 (sunset). -- HB0080 CD1

Committee Reports: HSCR 481 (HSG) HSCR 927 (FIN) SSCR 1566 (WAM) CCR 124
Current Status: Apr-28 21 Received by the Governor
Section Affected: 235-110.8, ACT 129 2016

HB0119 HD1 SD2 CD1 (CCR 31)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST KAUNALEWA.

Introduced by: Morikawa D

HOUSE BILLS THAT PASSED THE LEGISLATURE

Amends Act 43, session laws of 2019, which authorizes the issuance of special purpose revenue bonds, with the approval of the governor, to assist E Ola Mau Na Leo O Kekaha, a Hawaii domestic 501(c)(3) entity. Authorizes the issuance of special purpose revenue bonds, with the approval of the governor to assist Kaunalewa, a Hawaii domestic 501(c)(3) entity, rather than E Ola Mau Na Leo O Kekaha, in acquiring, remediating, and developing the old Kekaha Sugar mill. -- HB0119 CD1

Committee Reports: HSCR 145 (ECD) HSCR 938 (FIN) SSCR 1234 (WTL) SSCR 1674 (WAM) CCR 31

Current Status: Apr-28 21 Received by the Governor

Section Affected: ACT 43 2019

HB0125 HD2 SD2 (SSCR 1588)

RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT.

Introduced by: Takayama G

Establishes the uniform employee and student online privacy protection act. Prohibits an employer to require, coerce or request an employee to disclose the login information for a protected personal online account; disclose the content of the account, except that, without coercion and pursuant to a clear statement that acceptance is voluntary and not required, an employer may request an employee to add the employer to, or not remove the employer from, the set of persons to which the employee grants access to the content; alter the settings of the online account in a manner that makes the login information for or content of the account more accessible to others; access the account in the presence of the employer in a manner that enables the employer to observe the login information for or content of the account; or turn over to the employer an unlocked personal technological device for purposes of gaining access to a protected personal online account; or take, or threaten to take, adverse action against an employee for failure to comply with an employer requirement, coercive action, or request; or an employer request to add the employer to, or not remove the employer from, the set of persons to which the employee grants access to the content of a protected personal online account. -- Prohibits an educational institution to require, coerce, request a student to disclose the login information for a protected personal online account; disclose the content of the account, except that, without coercion and pursuant to a clear statement that acceptance is voluntary and not required, an educational institution may request a student to add the educational institution to, or not remove the educational institution from, the set of persons to which the student grants access to the content; alter the settings of the online account in a manner that makes the login information for or content of the account more accessible to others; or access the account in the presence of the educational institution in a manner that enables the educational institution to observe the login information for or content of the account; or turn over to the educational institution an unlocked personal technological device for purposes of gaining access to a personal online account; or take, or threaten to take, adverse action against a student for failure to comply with an educational institution requirement, coercive action, or request; or an educational institution request to add the educational institution to, or not remove the educational institution from, the set of persons to which the student grants access to the content of a protected personal online account. -- Authorizes the attorney general to bring a civil action against an employers or educational institution. Establishes civil penalties. -- Allows an employee or student to bring civil action and obtain injunctive and other equitable relief; actual and general damages; and cost and reasonable attorney's fees. -- HB0125 SD2

Committee Reports: HSCR 152 (LAT) HSCR 491 (HET) HSCR 847 (CPC) SSCR 1138 (LCA/ EDU/) SSCR 1588 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: (8 SECTIONS) UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT

HB0136 HD1 SD1 (SSCR 1164)

RELATING TO LIQUOR LICENSES.

Introduced by: Todd C (BR)

Amends provisions relating to transfer of licenses; notice of change in officers, directors, and stockholders of corporate licenses, partners of a partnership license, and members or managers of a limited liability company license; penalty under intoxicating liquor law. Repeals a limited liability company, member of a member managed limited liability company, or manager of a manager managed limited liability company. Provides that where a license is held by a partnership, limited partnership, or limited liability partnership, the admission or withdrawal of a partner, limited partner, or partner of a limited liability partnership shall not be deemed a transfer of the license; provided that the

HOUSE BILLS THAT PASSED THE LEGISLATURE

licensee shall, within 30 days from the date of the admission or withdrawal, so notify the commission in writing, stating the name of the partner, limited partner, or partner of a limited liability partnership who has been admitted or withdrawn, and any other information as may be required by the liquor commission. Further provides that if the liquor commission finds that the partner or limited partner for whom notification is required as specified in this provision does not meet statutory requirements to hold a license in the partner's or limited partner's own right pursuant to provisions relating to no license issued, when, it may in its discretion revoke the license or suspend the license until the unfit or improper partner or limited partner is removed or replaced by a partner or limited partner who meets the statutory requirements to hold a license. Defines management agreement to mean a written agreement under which a licensee allows a manager to manage and operate the licensee's business on behalf of the licensee. Provides that if the licensee is a corporation or limited liability company, prohibits a change in ownership of any outstanding capital stock or membership interest to be deemed a transfer of a license; provided that in the case of a change in ownership of 25 per cent or more of the voting capital stock or membership interest or in the case of change in ownership of any number of shares of the stock or membership interest that results in the transferee becoming the owner of 25 per cent or more of the outstanding voting capital stock or membership interest, requires the corporate or limited liability company licensee to, within 30 days of the date of the transfer, apply for the approval of the transfer from the commission in writing. Provides that if the commission finds that the transferee does not meet statutory requirements to hold a license in the transferee's own right pursuant to this provision, it shall not approve the transfer. -- Amends provisions relating to no license issued, when. Prohibits a license shall be issued to any minor or to any person who has been convicted of a felony and not pardoned; provided that the commission may grant a license under this law to a corporation or limited liability company that has been convicted of a felony where the commission finds that the corporation's officers, directors, and shareholders of 25 per cent or more of outstanding stock meet the statutory requirements to hold a license. Provides that for publicly traded corporations and limited liability companies or corporations or limited liability companies ultimately solely owned by a publicly traded company, only the officers, directors, managers, or members designated as primary decision makers shall be considered to determine disqualification under this provision. -- HB0136 SD1

Committee Reports: HSCR 316 (CPC) HSCR 702 (FIN) SSCR 1164 (CPN) SSCR 1646 (JDC/ WAM/)

Current Status: Apr-28 21 Received by the Governor

Section Affected: 281-41, 281-45

HB0149 HD1 SD1 (SSCR 1018)

RELATING TO GIFT CERTIFICATES.

Introduced by: Saiki S (BR)

Amends provisions relating to gift certificates. Redefines gift certificate or certificate by excluding a card, certificate, or other medium that is issued by a county for the purpose of loading and storing a dollar value to pay transit fares, other county fees, and other uses as authorized by the applicable county ordinances. -- HB0149 SD1

Committee Reports: HSCR 302 (CPC) HSCR 930 (FIN) SSCR 1018 (CPN) SSCR 1554 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 481B-13

HB0156

RELATING TO ANIMAL CONTROL SERVICES.

Introduced by: Saiki S (BR)

Repeals provisions relating to contract between county of Kauai and Kauai Humane Society. -- HB0156

Committee Reports: HSCR 338 (AGR) HSCR 741 (JHA) SSCR 1215 (JDC)

Current Status: Mar-29 21 Received by the Governor

Apr-14 21 Approved by Governor (Act 4 2021)

Section Affected: 143-16

HB0170 HD1 (HSCR 763)

RELATING TO THEFT IN THE SECOND DEGREE.

Introduced by: Saiki S (BR)

Amends provisions relating to theft in the 2nd degree. Provides that a person commits the offense of theft in the 2nd degree if the person commits theft of property commonly used to store items of monetary value, including but not limited to any purse, handbag, or wallet. -- HB0170 HD1

Committee Reports: HSCR 763 (JHA) SSCR 1205 (JDC)

HOUSE BILLS THAT PASSED THE LEGISLATURE

Current Status: Mar-29 21 Received by the Governor
Apr-14 21 Approved by Governor (Act 5 2021)
Section Affected: 708-831

HB0171 HD1 SD2 (SSCR 1587)

RELATING TO PROPERTY CRIMES.

Introduced by: Saiki S (BR)

Amends provisions relating to penalties. Requires any dealer, or any agent, employee, or representative of a dealer who intentionally, knowingly, or recklessly violates any of the provisions of sections 486M-2 (Record of transactions), 486M-3 (Transactions of minors prohibited), or 486M-4 (Minimum retention of items), or who refuses to allow the inspection provided for in section 486M-5 (Inspections), and any person who offers or records information that is required under section 486M-2 that the person knows or has reason to know is false, to be guilty of a misdemeanor. -- HB0171 SD2

Committee Reports: HSCR 755 (JHA) SSCR 1087 (CPN) SSCR 1587 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 486M-7

HB0172 HD1 (HSCR 765)

RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.

Introduced by: Saiki S (BR)

Establishes provisions relating to the unauthorized control of a propelled vehicle in the 2nd degree. Provides that a person commits the offense of unauthorized control of a propelled vehicle in the 2nd degree if the person recklessly or negligently exerts unauthorized control over another's propelled vehicle by operating the propelled vehicle without the owner's consent or by changing the identity of the propelled vehicle without the owner's consent. Makes it a misdemeanor. -- Amends provisions relating to unauthorized control of propelled vehicle by changing the title to unauthorized control of a propelled vehicle in the 1st degree. Provides that a person commits the offense of unauthorized control of a propelled vehicle in the 1st degree if the person intentionally or knowingly exerts unauthorized control over another's propelled vehicle by operating the propelled vehicle without the owner's consent or by changing the identity of the propelled vehicle without the owner's consent. Makes it a class C felony. -- HB0172 HD1

Committee Reports: HSCR 765 (JHA) SSCR 1206 (JDC)

Current Status: Mar-29 21 Received by the Governor

Apr-14 21 Approved by Governor (Act 6 2021)

Section Affected: 708- (1 SECTION), 708-836

HB0177 HD1 SD1 CD1 (CCR 6)

RELATING TO SEXUAL ASSAULT.

Introduced by: Saiki S (BR)

Amends provisions relating to sexual assault in the 1st degree. Provides that a person commits the offense of sexual assault in the 1st degree if the person knowingly subjects to sexual penetration a person who is mentally defective; provided that the actor is negligent in not knowing of the mental defect of the victim. -- Amends provisions relating to sexual assault in the 3rd degree. Provides that a person commits the offense of sexual assault in the 3rd degree if the person knowingly subjects to sexual contact a person who is mentally defective, or causes such a person to have sexual contact with the actor; provided that the actor is negligent in not knowing of the mental defect of the victim. -- HB0177 CD1

Committee Reports: HSCR 766 (JHA) SSCR 1211 (JDC) CCR 6

Current Status: Apr-27 21 Passed Legislature

Section Affected: 707-730, 707-732, 846E-10

HB0181 HD1 SD1 (SSCR 1208)

RELATING TO THE DEFINITION OF PROPERTY.

Introduced by: Saiki S (BR)

Amends provisions relating to definition of terms under offenses against property rights. Redefines property to include property that is stored in an electronic medium and is retrievable in a perceivable form. -- HB0181 SD1

Committee Reports: HSCR 372 (CPC) HSCR 736 (JHA) SSCR 1208 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 708-800

HB0185 HD1 SD2 CD1 (CCR 178)

RELATING TO THE JUDICIARY.

Introduced by: Saiki S (BR)

Judiciary appropriations Act of 2021 (judiciary budget). Appropriations to the judiciary for the 2021 - 2023 fiscal biennium. (\$\$) -- HB0185 CD1

Committee Reports: HSCR 557 (JHA) HSCR 897 (FIN) SSCR 1046 (JDC) SSCR

HOUSE BILLS THAT PASSED THE LEGISLATURE

- 1696 (WAM) CCR 178
Current Status: Apr-28 21 Received by the Governor
- HB0189 RELATING TO DESIGNATING SUBSTITUTE JUDGES ON THE INTERMEDIATE COURT OF APPEALS.
Introduced by: Saiki S (BR)
Amends provisions relating to panels; substitute judge. Provides that in case of vacancy or of the number of available intermediate appellate judges is insufficient to make up a panel because of disqualification, the chief justice of the supreme court shall designate circuit judges, retired intermediate appellate judges, or retired supreme court justices to temporarily fill the vacancy or the need to make up a panel. -- HB0189
Committee Reports: HSCR 40 (JHA) HSCR 933 (FIN) SSCR 1024 (JDC) SSCR 1528 (WAM)
Current Status: Apr-07 21 Received by the Governor
Apr-26 21 Approved by Governor (Act 10 2021)
Section Affected: 602-55
- HB0199 HD1 (HSCR 759) RELATING TO ELECTION PROCLAMATIONS.
Introduced by: Saiki S (BR)
Amends provisions relating to proclamation. Requires the proclamation to contain a statement of the purposes for which the election is to be held, and a designation of the offices and the terms thereof for which candidates are to be nominated or elected. -- Amends provisions relating to election proclamation; voter service centers and places of deposit; changes to district boundaries. Requires the clerk to issue a proclamation listing all voter service centers and places of deposit, including the days each voter service center and place of deposit is open and the hours of operations and location of each voter service center and place of deposit, as may have been determined by the clerk as of the proclamation date. -- HB0199 HD1
Committee Reports: HSCR 759 (JHA) SSCR 1516 (JDC)
Current Status: Apr-01 21 Received by the Governor
Apr-16 21 Approved by Governor (Act 7 2021)
Section Affected: 11-91, 11-92.1
- HB0200 HD1 SD1 CD1 (CCR 180) RELATING TO THE STATE BUDGET.
Introduced by: Saiki S (BR)
General Appropriations Act of 2021 (state budget). Appropriations for general operating funds for the support of state government operations over the 2021 - 2023 fiscal biennium. (\$\$) -- HB0200 CD1
Committee Reports: HSCR 1122 (FIN) SSCR 1553 (WAM) CCR 180
Current Status: Apr-27 21 Received by the Governor
Section Affected: ACT 5 2019, ACT 7 2020, ACT 9 2020, ACT 189 2019, ACT 40 2019, ACT 6 2020, ACT 49 2017, ACT 53 2018
- HB0204 SD2 CD1 (CCR 179) RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS.
Introduced by: Saiki S (BR)
Office of Hawaiian Affairs Appropriations Act of 2021 (OHA budget). Appropriations to the office of Hawaiian affairs for the 2021 - 2023 fiscal biennium. (\$\$) -- HB0204 CD1
Committee Reports: HSCR 571 (JHA) HSCR 934 (FIN) SSCR 1022 (HWN) SSCR 1695 (WAM) CCR 179
Current Status: Apr-27 21 Passed Legislature
Section Affected: ACT 37 2019
- HB0237 HD2 SD2 CD1 (CCR 38) RELATING TO INVASIVE SPECIES.
Introduced by: Hashem M, Branco P, Eli S, Kapela J, Lowen N, Morikawa D, Nakashima M, Onishi R, Tarnas D, Todd C
Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the department of agriculture to be used to mitigate and control the 2 lined spittlebug, including reducing the 2 lined spittlebug population by using insecticides, integrating weed management measures in affected rangelands, and reseeding pastures damaged by infestations. Report to the legislature. (\$\$) -- HB0237 CD1
Committee Reports: HSCR 445 (AGR) HSCR 850 (FIN) SSCR 1123 (AEN/ WTL/) SSCR 1675 (WAM) CCR 38
Current Status: Apr-27 21 Passed Legislature

HOUSE BILLS THAT PASSED THE LEGISLATURE

HB0243 HD1 SD2 CD1 (CCR 11)

RELATING TO SEA LEVEL RISE ADAPTATION.

Introduced by: Tarnas D, Aquino H, Belatti D, Branco P, Hashimoto T, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, LoPresti M, Lowen N, Marten L, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakamura N, Nakashima M, Okimoto V, Perruso A, Takayama G, Tam A, Tokioka J, Wildberger T, Woodson J, Yamane R, Yamashita K Establishes provisions relating to coordination of sea level rise adaptation activities. Requires the office of planning, in cooperation with each state agency having operational responsibilities over state facilities, to begin statewide sea level rise adaptation coordination by working with state agencies to identify existing and planned facilities, including critical infrastructure, that are vulnerable to sea level rise, flooding impacts, and natural hazards, utilizing projections and map data from the most recent update of the Hawaii sea level rise vulnerability and adaptation report, the State of Hawaii hazard mitigation plan, and any other pertinent data and scientific reports to aid in this planning; assess a range of options for mitigating impacts of sea level rise to those existing and planned state facilities; and submit an annual report to the governor, legislature, and the Hawaii climate change mitigation and adaptation commission no later than twenty days prior to the convening of each regular session regarding the vulnerability and mitigation assessments for state facilities and progress made toward implementing sea level rise adaptation in future plans, programs, and capital improvement needs and decisions. Report to the legislature. -- Amends provisions relating to objective and policies for facility systems--in general. Requires planning for the State's facility systems in general to be directed towards achievement of the objective of water, transportation, sustainable development, climate change adaptation, sea level rise adaptation, waste disposal, and energy and telecommunication systems that support statewide social, economic, and physical objectives. Provides that to achieve the general facility systems objective, it shall be the policy of this State to identify existing and planned state facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards; assess a range of options to mitigate the impacts of sea level rise to existing and planned state facilities.

-- HB0243 CD1

Committee Reports: HSCR 426 (WAL/ EEP/) HSCR 709 (FIN) SSCR 1150 (WTL/ AEN/) SSCR 1697 (WAM) CCR 11

Current Status: Apr-27 21 Passed Legislature

Section Affected: 225M- (1 SECTION), 225M-2, 226-14

HB0244 HD1 SD1 CD1 (CCR 12)

RELATING TO LAND RECORDATION.

Introduced by: Tarnas D, Branco P, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Johanson A, Kitagawa L, Matayoshi S, Matsumoto L, Morikawa D, Nakamura N, Nakashima M, Perruso A, Todd C, Yamane R

Amends provisions relating to deregistration of registered land other than fee time share interests. Requires rather than allows the registered owner of the fee interest in registered land to submit the following to the assistant registrar a written request to deregister the registered land, proof of title insurance in the amount of the value of the land to be deregistered and a written waiver of all claims against the State relating to the title to the land arising after the date of deregistration; and a plan of the parcel or parcels sought to be deregistered that includes a map and description prepared by a licensed professional surveyor in accordance with provisions relating to filing of; data on plans; monuments; metes and bounds descriptions, provisions relating to description; lot subdivisions, and provisions relating to plans on tracing cloth; size; scale. Requires the assistant registrar to transmit the notation of the recordation and cancellation of the certificate of title to the registrar of the land court and state land surveyor. -- Amends provisions relating to entry record. Requires the registrar to make and keep in such form and manner as is prescribed by the board of land and natural resources a permanent record of the receipt to include every plan of the parcel or parcels of land deregistered pursuant to provisions relating to deregistration of registered land other than fee time share interests. -- Amends provisions relating to filing of; data on plans; monuments; metes and bounds descriptions. Requires every plan to contain to include if the land is deregistered pursuant to provisions relating to deregistration of land court registration law an application or consolidation number; a map number; a lot number; and the document numbers of the canceled certificate of title. -- Amends provisions relating to description; lot subdivisions. Changes that requires a file plan to be written upon the plan, or printed or typewritten on unruled good quality white paper from 13 inches to 11 inches long by 8 1/2 inches wide and shall be filed in duplicate with the file plan. Provides that if the land sought to be registered as a file plan is being deregistered pursuant to provisions relating to deregistration of land court registration law, requires the metes and bounds description to be dated and signed by the licensed professional surveyor making the file plan, or

HOUSE BILLS THAT PASSED THE LEGISLATURE

under whose supervision the file plan was made. Prohibits any lands being deregistered pursuant to provisions relating to deregistration of land court registration law, to be subdivide or consolidate when registering as a file plan, and only contiguous parcels shall be shown on the same plan. -- HB0244 CD1

Committee Reports: HSCR 15 (WAL) HSCR 391 (JHA) HSCR 710 (FIN) SSCR 1229 (WTL) SSCR 1690 (WAM/ JDC/) CCR 12

Current Status: Apr-27 21 Passed Legislature

Section Affected: 501-261.5, 502-11, 502-17, 502-18

HB0247 SD2 (SSCR 1590)

RELATING TO AGRICULTURAL LANDS.

Introduced by: Tarnas D, Branco P, Hashimoto T, Holt D, Ichiyama L, Ilagan G, LoPresti M, Lowen N, Marten L, Matayoshi S, Matsumoto L, McKelvey A, Morikawa D, Nakamura N, Nakashima M, Okimoto V, Perruso A, Quinlan S, Todd C, Wildberger T, Yamashita K

Amends provisions relating to permissible uses within the agricultural districts. Redefines farm dwelling to mean a single family dwelling located on and accessory to a farm, including clusters of single family farm dwellings permitted within agricultural parks developed by the State, or where agricultural activity provides income to the family occupying the dwelling. Provides that any violation of the provision that allow agricultural lands to be subdivided and leased for the agricultural uses or activities permitted under specified conditions shall be subject to county enforcement authority and fines pursuant to provisions relating to county zoning under general provisions law and enforcement and penalty for violation under land use commission law. -- Amends provisions relating to application for registration under the condominiums law. Provides that for projects containing greater than 5 units, the verified statement shall include the applicant's assessment and county comments regarding the availability of supportive infrastructure, any potential impact on governmental plans and resources, sensitive environmental resources, and any other requirements pursuant to county ordinances and rules. Requires the developer's public report to include the verified statement in addition to the information required by provisions relating to developer's public report. -- HB0247 SD2

Committee Reports: HSCR 17 (WAL) HSCR 339 (AGR) HSCR 737 (JHA) SSCR 1124 (AEN/ WTL/) SSCR 1590 (CPN/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 205-4.5, 514B-52

HB0250 HD2 SD1 (SSCR 1210)

RELATING TO SEXUAL ASSAULT.

Introduced by: Ichiyama L

Amends provisions relating to sexual assault in the 2nd degree. Provides that as a law enforcement officer as defined in provisions relating to definitions of terms in this chapter, under offenses against public administration law to include a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes. Provides that the person knowingly subjects to sexual penetration another person who is mentally incapacitated or physically helpless and the person, while employed shall not be construed to prohibit practitioners licensed under medicine and surgery law or naturopathic medicine from performing any act within their respective practices law. -- Amends provisions relating to sexual assault in the 3rd degree. Provides that as a law enforcement officer as defined in provisions relating to definitions of terms in this chapter, under offenses against public administration law knowingly subjects sexual contact or causes to have sexual contact. Adds a person who is stopped by a law enforcement officer; or a person who is being accompanied by a law enforcement officer for official purposes; provided that this paragraph shall not be construed to prohibit a law enforcement officer from performing a lawful search pursuant to a warrant or an exception to the warrant clause. -- HB0250 SD1

Committee Reports: HSCR 408 (LAT) HSCR 868 (JHA) SSCR 1210 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 707-731, 707-732

HB0264 HD1 SD3 CD1 (CCR 164)

RELATING TO TRANSPORTATION NETWORK COMPANIES.

Introduced by: Johanson A

Amends Act 236, session laws of 2016, relating to insurance. Extends to September 1, 2023 (sunset) the insurance requirements for transportation network companies and transportation network company drivers established pursuant to Act 236, session laws of 2016. -- HB0264 CD1

Committee Reports: HSCR 292 (CPC) HSCR 704 (FIN) SSCR 1064 (TRS) SSCR 1526 (CPN) - filed FLOOR AMENDMENT 5 CCR 164

HOUSE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-28 21 Received by the Governor
Section Affected: ACT 236 2016

HB0282 HD1 SD2 CD1 (CCR 42)

RELATING TO MINORS.

Introduced by: Tam A, Branco P, Hashimoto T, Ichiyama L, Ilagan G, Kapela J, LoPresti M, Marten L, Onishi R, Perruso A, Takayama G, Wildberger T

Amends provisions relating to consent to no cost emergency shelter and related services under department of human services law. Redefines providers to include an organization that is not a child placing organization or child caring institution that conducts criminal history clearances, child abuse and neglect (CA/N) registry checks, background, employment, and any other checks as may be required by state or federal law on an annual basis for all employees and volunteers; maintains separate sleeping areas for unrelated adults and minor children; serves no more than 5 minor children per day; keeps a current register of all minors admitted; and coordinates with the department to provide shelter or other services for a minor child. Act to be repealed upon approval on June 30, 2023 (sunset). -- HB0282 CD1

Committee Reports: HSCR 607 (HHH) HSCR 826 (JHA) SSCR 1122 (HMS) SSCR 1645 (JDC) CCR 42

Current Status: Apr-27 21 Passed Legislature

Section Affected: 346-17.6

HB0286 HD1 SD2 (SSCR 1539)

RELATING TO REAL ESTATE INVESTMENT TRUSTS.

Introduced by: Tam A, Ganaden S, Ichiyama L, Kapela J, McKelvey A, Mizuno J, Takayama G, Wildberger T

Amends provisions relating to tax on corporations; rates; credit of shareholder of regulated investment company. Provides that notwithstanding the foregoing, beginning January 1, 2022, the department shall require a real estate investment trust subject to this law to notify the department of taxation, in the manner prescribed by the department, of its operation as a real estate investment trust in the State no later than 15 days from the 1st day of operation in the State; provided that, for real estate investment trusts operating in the State as of July 1, 2021, the department shall be notified no later than January 15, 2022; properly designate on its tax return that it is a real estate investment trust, as required by the department; complete its tax return in the specific manner required by the department, including following line by line instructions; and submit a copy of the real estate investment trust's federal tax return covering the same period with each state tax return that the real estate investment trust files with the department under this law. Requires any real estate investment trust that fails to comply with these requirements to be assessed a penalty of 50 dollars per day. -- HB0286 SD2

Committee Reports: HSCR 205 (ECD) HSCR 501 (CPC) HSCR 720 (FIN) SSCR 1088 (CPN) SSCR 1539 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 235-71

HB0311 HD1 SD2 CD1 (CCR 153)

RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM.

Introduced by: Yamane R, Belatti D, Gates C, Ichiyama L, Johanson A, Kobayashi B, Mizuno J, Morikawa D, Takayama G

Amends provisions relating to the nursing facility sustainability program and the nursing facility sustainability program special fund by extending the sunset date. -- Amends provisions relating to nursing facility sustainability fee. Requires that the medicaid nursing facilities or facilities with high patient volume to pay reduced daily fee compared to other facilities participating in the nursing facility sustainability program. -- Amends provisions relating to nursing facility sustainability fee assessment. Changes that provide that the fee shall be due from within 30 days to within 60 days after the end of each month, with the initial payment due on the later of July 31, 2012, or 45 days after the required federal approvals for the assessment and any increase in health plan capitation payments have been secured from the Centers for Medicare and Medicaid Services. -- Amends Act 156, session laws of 2012, relating to the nursing facility sustainability program by extending the repeal date from June 30, 2021 to December 31, 2023 (sunset). Amends Act 124, session laws of 2014, relating to the nursing facility sustainability program and the nursing facility sustainability program special fund by extending the sunset date from December 31, 2021 to June 30, 2024 (sunset). Appropriation to the department of human services for fiscal year 2022 - 2023 for uses consistent with provisions relating to nursing facility sustainability program special fund. (COVID-19, COVID 19, coronavirus) (\$\$) -- HB0311 CD1

Committee Reports: HSCR 413 (HHH) HSCR 651 (FIN) SSCR 1125 (HMS/ HTH/)

HOUSE BILLS THAT PASSED THE LEGISLATURE

SSCR 1676 (WAM/ CPN/) CCR 153
Current Status: Apr-28 21 Received by the Governor
Section Affected: 346F-4, 346F-5, 346F-6, 346F-10, 346F-13, ACT 156 2012, ACT 142 2013, ACT 124 2014, ACT 69 2015, ACT 59 2016, ACT 60 2017, ACT 163 2019, 36-30, 36-27

HB0313 HD2 SD1 CD1 (CCR 43)

RELATING TO PHYSICIAN WORKFORCE ASSESSMENT.

Introduced by: Yamane R

Amends provisions relating to John A. Burns school of medicine special fund. Repeals the requirement that no less than 50 per cent of the physician workforce assessment fees deposited into the John A. Burns school of medicine special fund be expended for purposes identified by the Hawaii medical education council to support physician workforce assessment and planning efforts. Repeals the cap on expenditures from the John A. Burns school of medicine special fund. Authorizes the fund to provide loan repayment to physicians who commit to working in medically underserved areas of the State as part of the Hawaii state loan repayment program administered by the John A. Burns school of medicine; and provide scholarships to qualifying medical students to be determined by the John A. Burns school of medicine. -- HB0313 CD1

Committee Reports: HSCR 43 (HHH) HSCR 269 (HET) HSCR 694 (FIN) SSCR 1154 (HRE) SSCR 1687 (WAM/ JDC/) CCR 43

Current Status: Apr-27 21 Passed Legislature
Section Affected: 304A-2171, 453-8.8

HB0334 HD1 SD2 CD1 (CCR 44)

RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

Introduced by: Aquino H (BR)

Establishes provisions relating to state drug and alcohol toxicology testing laboratory special fund; established. Provides that there is established in the state treasury a state drug and alcohol toxicology testing laboratory special fund, into which shall be deposited all fines collected for violations committed in the offense of operating a vehicle under the influence of an intoxicant, moneys appropriated by the legislature to the fund, other grants and gifts made to the fund, and any income and interest earned on the balance of the fund. Requires moneys in the state drug and alcohol toxicology testing laboratory special fund to be administered and expended by the department of health to support a state drug and alcohol toxicology testing laboratory. -- Amends provisions relating to state highway fund. Allows moneys in the state highway fund to be expended for the cost of establishing a state drug and alcohol toxicology testing laboratory that is intended to support the prosecution of offenses relating to operation of a motor vehicle while under the influence of an intoxicant. Establishes penalties and fines. Requires fines to be deposited into the state drug and alcohol toxicology testing laboratory special fund. Report to the legislature. -- Requires the state drug and alcohol toxicology testing laboratory special fund established in this provision to be abolished and repealed on June 30, 2026 (sunset), and any unencumbered remaining balances shall lapse to the general fund. -- Requires that on June 30, 2026, certain provisions of this Act to be repealed (sunset) and sections 291E-61, 291E-61.5, 291E-62, and 706-643, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act. -- HB0334 CD1

Committee Reports: HSCR 750 (JHA) SSCR 1158 (HTH) SSCR 1608 (JDC/ WAM/) CCR 44

Current Status: Apr-28 21 Received by the Governor
Section Affected: 291E- (1 SECTION), 248-9, 291E-61, 291E-61.5, 291E-62, 706-643

HB0338 HD1 SD1 (SSCR 1209)

RELATING TO THE JUDICIARY.

Introduced by: Saiki S

Amends provisions relating to disqualification of judge; relationship, pecuniary interest, previous judgment, bias or prejudice by adding; or justice. Allows a party to any action or proceeding being heard in any appellate court in the State to file a motion for a hearing on possible conflict of interest when the party believes that any judge or justice before whom the pending action or proceeding is to be tried or heard may have a disqualifying conflict of interest resulting in a personal bias or prejudice either against the party or in favor of any opposite party to the suit. Requires the motion to state the facts and reasons for the belief that bias or prejudice exists and shall be filed before the hearing of the action or proceeding, or good cause shall be shown for the failure to file the motion within that time. Prohibits a party to be entitled in any case to file more than 1 motion for a

HOUSE BILLS THAT PASSED THE LEGISLATURE

hearing on possible conflict of interest against a particular judge or justice; and no motion shall be filed unless accompanied by a certificate of counsel of record that the motion is made in good faith. Requires the remaining judges or justices on the panel or court hearing the action or proceeding to hear and rule on the motion for hearing on possible conflict of interest. Requires the judge or justice who is the subject of the motion to be disqualified from hearing or ruling on the motion, but shall have the opportunity to file a response to the motion; or recuse themselves by filing with the clerk of the court for which the judge or justice presides a certificate that the judge or justice is unable for any reason to preside with absolute impartiality in the pending action or proceeding. -- HB0338 SD1
Committee Reports: HSCR 749 (JHA) SSCR 1209 (JDC)
Current Status: Apr-23 21 Received by the Governor
Section Affected: 601-7

HB0345 HD2 SD2 (SSCR 1647)

RELATING TO ASSISTED COMMUNITY TREATMENT.

Introduced by: Saiki S

Establishes provisions relating to appointment of guardian ad litem under mental health, mental illness, drug addiction and alcoholism law. Requires the family court, upon receipt of a petition filed to determine the existence of a guardian and if none, to appoint the public guardian ad litem to represent the best interests of the subject of the petition throughout the pendency of the proceedings. -- Amends provisions relating to notice. Repeals provision that a notice of a hearing to be served on the public defender. Adds that requires notice of the hearing to be served on the guardian ad litem appointed for the subject of the petition or the subject's existing guardian, if the court determines the existence of 1; and served on the attorney for the subject of the petition, if applicable. Provides that the notice requirement shall include a notice that the subject of the petition has been assigned any existing guardian ad litem to represent the best interests of the subject throughout the proceeding, unless the court determined the existence of a guardian for the subject and notice that the subject of the petition is entitled to the assistance of an attorney, and that the subject may contact their own attorney. -- Amends provisions relating to hearing and petition. Provides that the subject of the petition is not required to be present at the hearing; provided that the subject has been served with the petition and the appointed guardian ad litem or existing guardian, is present to represent the best interests of the subject through the proceedings. -- Amends provisions relating to disposition under assisted community treatment and provisions relating to failure to comply with assisted community treatment. Provides that the written treatment plan submitted shall include non mental health treatment if appropriate, provide the rationale for the recommended treatment, and identify the designated mental health program responsible for the coordination of care and other specified criteria shall be attached to the order and made a part of the order. -- Amends provisions relating to petition for additional period treatment; hearing; under mental health, mental illness, drug addiction and alcoholism law. Requires that the petition to be filed, and unless the court determines the existence of a guardian, a guardian ad litem appointed, and notice provided in the same manner as under provisions relating to initiation of proceeding for assisted community treatment and provisions relating to notice. Requires the family court to appoint a guardian ad litem, unless there is an existing guardian, hold a hearing on the petition and make its decision. -- Amends provisions relating to hearing for discharge. Requires the petition to be filed, and unless the court determines the existence of a guardian, guardian ad litem appointed, notice given, hearing held, and order made. -- Amends provisions relating to right to representation by public defender or other appointed counsel any existing guardian appointed; and provisions relating to appointment of counsel; compensation under counsel and other services for indigent criminal defendants law. Repeals exemption under provisions relating to hearing on petition. -- HB0345 SD2

Committee Reports: HSCR 235 (HHH) HSCR 589 (JHA) HSCR 904 (FIN) SSCR 1264 (HMS/ HTH) SSCR 1647 (JDC/ WAM/)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 334- (1 SECTION), 334-125, 334-126, 334-127, 334-129, 334-133, 334-134, 802-1, 802-5

HB0352 HD1 SD1 (SSCR 1021)

RELATING TO SECONDHAND DEALERS.

Introduced by: Saiki S

Amends provisions relating to definitions under pawnbrokers and secondhand dealers law. Redefines secondhand dealer to include the operation of an automated recycling kiosk. -- Amends provisions relating to minimum retention of items. Requires a secondhand dealer operating an automated recycling kiosk to retain previously owned

HOUSE BILLS THAT PASSED THE LEGISLATURE

consumer handheld electronic cellular phone devices for a total period of 30 calendar days from the date they were received or purchased; provided that the secondhand dealer operating an automated recycling kiosk may store the previously owned consumer handheld electronic cellular phone devices at a business location outside the county where the devices were received or purchased; provided further that, upon request by law enforcement within the 30 day retention period, a secondhand dealer operating an automated recycling kiosk shall promptly return any requested devices no later than 5 business days from the date of the request at no cost to the requesting law enforcement agency. -- HB0352 SD1

Committee Reports: HSCR 301 (CPC) HSCR 740 (JHA) SSCR 1021 (CPN) SSCR 1519 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 486M-1, 486M-4, 486M-5

HB0357 HD1 SD1 CD1 (CCR 122)

RELATING TO STATUTE OF LIMITATIONS.

Introduced by: Saiki S

Amends provisions relating to jurisdiction. Provides that all claims against the State founded upon to include article I, section 20, of the Hawaii State Constitution that may be referred to any such court by the legislature. -- HB0357 CD1

Committee Reports: HSCR 515 (JHA) HSCR 798 (FIN) SSCR 1192 (JDC) SSCR 1581 (WAM) CCR 122

Current Status: Apr=27 21 Passed Legislature

Section Affected: 661-1

HB0391 HD3 SD2 (SSCR 1543)

RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

Introduced by: Ohno T

Establishes provisions relating to early termination of tenancy; servicemember tenants. Provides that a servicemember tenant may terminate a rental agreement of a term of 1 year or less without penalty or fees if the servicemember tenant receives military orders requiring the servicemember tenant to vacate civilian housing and move into on post government quarters; provided that failure to move into on post government quarters will result in a forfeiture of the servicemember tenant's basic allowance for housing; the servicemember tenant requests permission from their commanding officer to maintain their housing allowance and their request is denied; and the servicemember tenant submits at least 30 days written notice to the landlord. Allows when the tenancy is from month to month, a servicemember tenant to terminate a rental agreement without penalty or fees for early termination or liability for future rent if the servicemember tenant receives military orders requiring the servicemember tenant to vacate civilian housing and move into on post government quarters; provided that failure to move into on post government quarters will result in a forfeiture of the servicemember tenant's basic allowance for housing; provided further that the servicemember tenant submits at least 15 days written notice to the landlord. Requires the written notice required under specified provisions to be accompanied by 1 of the following documents as specified. -- HB0391 SD2

Committee Reports: HSCR 65 (CMV) HSCR 384 (CPC) HSCR 872 (JHA) SSCR 1108 (PSM/ CPN/) SSCR 1543 (JDC)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 521- (1 SECTION) EARLY TERMINATION OF TENANCY

HB0416 HD2 SD2 (SSCR 1518)

RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES.

Introduced by: Nishimoto S

Amends provisions relating to cruelty to animals in the 2nd degree. Provides that a person commits the offense of cruelty to animals in the 2nd degree if the person intentionally, knowingly, or recklessly uses a trolley, trolley with swivels, pulley, cable, running line, or trolley lacking swivels at each end that is designed to attach a dog to 2 stationary objects in a configuration that endangers the dog, including preventing the dog from obtaining necessary sustenance; tethers or restrains a dog under the age of 6 months unless the dog is engaged in an activity supervised by its owner or an agent of its owner; tethers or restrains a dog by a tow or log chain; tethers or restrains by means of choke collar, pinch collar, or prong collar unless the dog is engaged in an activity supervised by its owner or an agent of its owner; or assists another in the commission of any act specified in this provision. Provides that cruelty to animals in the 2nd degree is a misdemeanor, except that if the offense involves 10 or more pet animals in any 1 instance, then cruelty to animals in the 2nd degree is a class C felony. -- HB0416 SD2

Committee Reports: HSCR 410 (AGR) HSCR 852 (JHA) SSCR 984 (AEN) SSCR 1518 (JDC)

HOUSE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-23 21 Received by the Governor
Section Affected: 711-1109

HB0424 HD1 SD1 CD1 (CCR 167)

RELATING TO PROCUREMENT OF CONTRACTS FOR VEHICLE RENTAL.

Introduced by: Wildberger T, Ganaden S, Mizuno J

Amends provisions relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. Provides that with regard to motor vehicles and transportation fuel, each agency shall adopt a preference for the rental of electric vehicles or hybrid vehicles; provided that all agencies, when renting a vehicle on behalf of a state employee in the discharge of official government business, shall rent a vehicle of 1 of the following types, listed in order of preference; electric vehicle; or hybrid vehicle; provided further that the vehicle is available and suitable for the specific travel requirements; the agency may rent a conventional vehicle only if an electric vehicle or hybrid vehicle is not suitable; or neither an electric vehicle nor a hybrid vehicle is available; an agency shall exercise the policy preference for rental of an electric vehicle or hybrid vehicle notwithstanding the potential higher cost associated with renting an electric vehicle or hybrid vehicle; provided that the rental rate for the electric vehicle or hybrid vehicle is comparable to that of a conventional vehicle of similar class; provided further that the cost premium is consistent with any budgetary constraints and not contradicted by an existing state contract with the rental business entity from which the vehicle is rented; and to the extent practicable, all agencies shall rent a vehicle pursuant to this provision from a rental contractor. -- HB0424 CD1

Committee Reports: HSCR 250 (GVR) HSCR 640 (CPC) HSCR 805 (FIN) SSCR 1224 (GVO/ CPN/) SSCR 1698 (WAM) CCR 167

Current Status: Apr-28 21 Received by the Governor
Section Affected: 196-2, 196-9

HB0465 HD1 SD1 (SSCR 1255)

RELATING TO COLLECTIVE BARGAINING.

Introduced by: Onishi R

Amends provisions relating to Hawaii labor relations board. Requires the representative of labor shall be a person who is appointed by the governor and whose name has been submitted to the governor to serve as the representative of labor by the exclusive representatives certified pursuant to section 89-8 (Recognition and representation; employee participation). Requires the process to determine the nominee whose name is to be submitted to the governor to be determined by a simple majority of the exclusive representatives certified pursuant to section 89-8. Requires the governor to transmit the name of the person nominated to serve as the representative of labor to the senate for advice and consent no later than 20 days after submission of the nominee's name to the governor; provided that, if the governor fails to nominate the person whose name has been submitted by a simple majority of exclusive representatives in accordance with this provision, the simple majority of exclusive representatives who recommended the person shall transmit the person's name directly to the senate for confirmation. Provides that if the representative of labor does not demonstrate the necessary ability to serve as an effective representative, as determined by a simple majority of exclusive representatives certified pursuant to section 89-8, then the representative shall be removed from office upon written request to the governor by a simple majority of the exclusive representatives authorized to nominate the representative of labor. Requires the written request for the removal of the representative of labor shall include an effective date for the representative of labor's removal. Requires the removal from office of a representative of labor requested pursuant this provision to be executed not later than the effective date of the removal specified in the written request. -- HB0465 SD1

Committee Reports: HSCR 20 (LAT) HSCR 399 (JHA) HSCR 677 (FIN) SSCR 1255 (LCA) SSCR 1642 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor
Section Affected: 89-5

HB0468 HD1 SD1 CD1 (CCR 170)

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND.

Introduced by: Onishi R

Amends provisions relating to other powers under Hawaii employer union health benefits trust fund law. Repeals the provision that includes the retaining of an actuary to determine the annual required public employer contribution for the separate trust fund established under provisions relating to other post employment benefits trust. -- Amends provisions relating to other post employment benefits trust under Hawaii employer union health benefits trust fund law; remittances under general excise tax law; and remittances; distribution to counties under transient accommodations tax law. -- Repeals provisions

HOUSE BILLS THAT PASSED THE LEGISLATURE

relating to prepayment of other post employment benefit liability. -- Repeals provisions relating to payment of public employer contributions to the other post employment benefits trust under Hawaii employer union health benefits trust fund. Act to be repealed on June 30, 2023 (sunset) and certain sections to be reenacted. (COVID-19, COVID 19, coronavirus) -- HB0468 CD1

Committee Reports: HSCR 409 (LAT) HSCR 678 (FIN) SSCR 1567 (LCA/ WAM/CCR 170

Current Status: Apr-28 21 Received by the Governor

Section Affected: 87A-24, 87A-42, 237-31, 237D-6.5, 37B-3, 87A-43

HB0469 HD1 SD2 CD1 (CCR 176)

RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS.

Introduced by: Onishi R, Hashem M, Matayoshi S, Morikawa D, Tarnas D, Todd C
Establishes a working group to ascertain the process and status of the transfer of non agricultural park lands from the department of land and natural resources to the department of agriculture pursuant to Act 90, session laws of 2003, and chapter 166E, Hawaii Revised Statutes, regarding non agricultural park lands; and determine the challenges and potential remedies necessary to facilitate the process of fulfilling the purposes of Act 90, session laws of 2003. Requires the working group to conduct its work through meetings, informational briefings, and consultation with state pasture lessees, agriculture lessees, and others. Report to the legislature. Requires the department of land and natural resources and department of agriculture to provide any necessary administrative support, including preparation of the report required by this provision, to the working group. -- HB0469 CD1

Committee Reports: HSCR 539 (WAL) HSCR 712 (FIN) SSCR 1252 (WTL/ AEN/SSCR 1686 (WAM/ JDC/) CCR 176

Current Status: Apr-27 21 Passed Legislature

HB0471 HD1 SD2 (SSCR 1525)

RELATING TO BEHAVIOR ANALYSTS.

Introduced by: Yamane R, Aquino H, Cullen T

Amends provisions relating to repeal dates for newly enacted professional and vocational regulatory programs. Repeals the provision that requires the behavior analysts law to be repealed on June 30, 2021 (sunset). -- HB0471 SD2

Committee Reports: HSCR 44 (HHH) HSCR 312 (CPC) HSCR 695 (FIN) SSCR 1200 (HTH) SSCR 1525 (CPN)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 26H-4

HB0485 HD1 SD1 CD1 (CCR 166)

RELATING TO TAXATION.

Introduced by: Yamashita K, DeCoite L, Hashimoto T, Ichiyama L, Ilagan G, Kitagawa L, McKelvey A, Nakamura N, Woodson J

Amends provisions relating to rental motor vehicle and tour vehicle surcharge tax. Provides that beginning January 1, 2022, and each subsequent year on January 1 until December 31, 2027, the rental motor vehicle surcharge tax shall increase by 50 cents. Exempts the imposition of the rental motor vehicle surcharge tax for persons whose vehicles have been stolen and are unrecovered or will not be repaired due to total loss. -- HB0485 CD1

Committee Reports: HSCR 202 (TRN) HSCR 627 (CPC) HSCR 813 (FIN) SSCR 1031 (TRS) SSCR 1593 (WAM) CCR 166

Current Status: Apr-28 21 Received by the Governor

Section Affected: 251-2

HB0490 HD2 SD1 (SSCR 1212)

RELATING TO CRIMES AGAINST SENIORS.

Introduced by: Hashimoto T, Branco P, DeCoite L, Eli S, Hashem M, Holt D, Ilagan G, Kapela J, Kitagawa L, Marten L, Matayoshi S, Mizuno J, Morikawa D, Nishimoto S, Perruso A, Takayama G, Tam A, Tarnas D, Todd C, Yamane R, Yamashita K

Amends provisions relating to assault in the 1st degree. Provides that a commits the offense of assault in the 1st degree if the person intentionally or knowingly causes the following as specified, including substantial bodily injury to a person who is 60 years of age or older and the age of the injured person is known or reasonably should be known to the person causing the injury. -- Amends provisions relating to assault in the 2nd degree. Provides that a person commits the offense of assault in the 2nd as specified, including Intentionally or knowingly causes bodily injury to a person who is 60 years of age or older and the age of the injured person is known or reasonably should be known to the person causing the injury. -- Amends provisions relating to unauthorized entry in a dwelling in the 1st degree. Provides that a person commits the offense of unauthorized

HOUSE BILLS THAT PASSED THE LEGISLATURE

entry in a dwelling in the 1st degree if the person intentionally or knowingly enters unlawfully into a dwelling and another person was, at the time of the entry, lawfully present in the dwelling as specified, including a person was 60 years of age or older and the age of the person lawfully present in the dwelling was known or reasonably should have been known to the person who unlawfully entered. -- Amends provisions relating to theft in the 1st degree. Provides that a person commits the offense of theft in the 1st degree if the person commits theft of the following as specified, including property from the person of another who is 60 years of age or older and the age of the property owner is known or reasonably should be known to the person who commits theft; or property or services, the value of which exceeds 750 dollars, from a person who is 60 years of age or older and the age of the property owner is known or reasonably should be known to the person who commits theft. -- Amends provisions relating to theft in the 2nd degree. Provides that a person commits the offense of theft in the 2nd degree if the person commits of the following as specified, including property or services, the value of which exceeds 250 dollars, from a person who is 60 years of age or older and the age of the property owner is known or reasonably should be known to the person who commits theft. -- Amends provisions relating to forgery in the 1st degree. Provides that a person commits the offense of forgery in the 1st degree if, with intent to defraud, the person falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument, or fraudulently encodes the magnetic ink character recognition numbers, which is or purports to be, or which is calculated to become or to represent if completed as specified, including all or part of a deed, will, codicil, contract, assignment, commercial instrument, or other instrument which does or may evidence, create, transfer, terminate, or otherwise affect a legal right, interest, obligation, or status and the purported maker or drawer of the written instrument or forged instrument is a person who is 60 years of age or older; and the age of the purported maker or drawer of the written instrument or forged instrument is known or reasonably should be known to the person who falsely makes, completes, endorses, or alters the instrument; utters the forged instrument; or fraudulently encodes the magnetic ink character recognition numbers of the instrument. -- Amends provisions relating to forgery in the 2nd degree. Provides that a person commits the offense of forgery in the 2nd degree if, with intent to defraud, the person as specified, including falsely makes, completes, endorses, or alters a written instrument, or utters a forged instrument; and the purported maker or drawer of the written instrument or forged instrument is a person who is 60 years of age or older; and the age of purported maker or drawer of the written instrument or forged instrument is known or reasonably should be known to the person who falsely makes, completes, endorses, or alters a written instrument; or utters a forged instrument. -- HB0490 SD1

Committee Reports: HSCR 450 (HHH) HSCR 900 (JHA) SSCR 1212 (JDC)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 707-710, 707-711, 708-812.55, 708-830.5, 708-831, 708-851, 708-852

HB0499 HD2 SD2 CD1 (CCR 175)

RELATING TO LEASE EXTENSIONS ON PUBLIC LAND.

Introduced by: Tarnas D, Branco P, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Matayoshi S, Mizuno J, Morikawa D, Nakamura N, Nakashima M, Tam A, Todd C, Yamane R, Yamashita K

Establishes provisions relating to commercial, industrial, resort, mixed use, or government leases; extension of term. Allows the board of land and natural resources to extend the rental period of a lease of public lands for commercial use, industrial use, resort use, mixed use, or government use upon the board's approval of a development agreement proposed by the lessee or by the lessee and developer to make substantial improvements to the existing improvements. Requires the lessee or the lessee and developer to submit to the board the plans and specifications for the total development proposed before entering into a development agreement. Requires the board to review the plans and specifications and determine whether the development proposed in the development agreement is of sufficient worth and value to justify the extension of the lease; the estimated period of time necessary to complete the improvements and expected date of completion of the improvements; and the minimum revised annual rent based on the fair market value of the lands to be developed, as determined by an appraiser for the board and, if deemed appropriate by an appraiser, the appropriate percentage of rent where gross receipts exceed a specified amount. Prohibits a lease extension to be approved until the board and the lessee or the lessee and developer mutually agree to the terms and conditions of the development agreement. Prohibits construction to commence until the lessee or the lessee and developer have filed with the board a sufficient bond conditioned upon the full and faithful performance of all the

HOUSE BILLS THAT PASSED THE LEGISLATURE

terms and conditions of the development agreement. Requires that any extension of a lease to be based upon the substantial improvements to be made and shall be for a period no longer than 40 years. Prohibits a lease to be transferable or assignable throughout the 1st 10 years of the extended term, except by devise, bequest, or intestate succession. Provides that the prohibition on assignments and transfer of leases includes a prohibition on conveyances of leases and a prohibition on the sale or change in ownership, by more than 20 per cent, of a lessee that is a company or entity. Allows the lease to be subleased, subject to approval by the board during subsequent periods of the extended term of the lease. Requires the applicant for a lease extension to pay all costs and expenses incurred by the department in connection with the processing, analyzing, or negotiating any lease extension request, lease document, or development agreement.

-- HB0499 CD1

Committee Reports: HSCR 26 (WAL) HSCR 374 (CPC) HSCR 714 (FIN) SSCR 1151 (WTL) SSCR 1678 (WAM) CCR 175

Current Status: Apr-27 21 Passed Legislature

Section Affected: 171- (1 SECTION) COMMERCIAL, INDUSTRIAL, RESORT, MIXED-USE, OR GOVERNMENT LEASES

HB0513

RELATING TO THE STATE CAPITOL MANAGEMENT COMMITTEE.

Introduced by: Cullen T

Repeals provisions relating to state capitol; state capitol management committee; established; oversight and management; powers and duties. -- HB0513

Committee Reports: HSCR 149 (LMG) HSCR 685 (FIN) SSCR 1106 (GVO) SSCR 1688 (WAM/ JDC/)

Current Status: Apr-13 21 Received by the Governor

Section Affected: 6E-34.5

HB0515 HD1 SD2 (SSCR 1699)

RELATING TO THE DEPARTMENT OF EDUCATION.

Introduced by: Cullen T

Requires the auditor to conduct an audit of the department of education's school food services branch to determine the current amount of local produce purchased and served to students by the branch and to identify the sources of the purchased produce to establish a baseline amount of produce which is locally sourced. Report to the legislature. -- Amends provisions relating to department of education; board of education; superintendent of education. Provides that for the position of superintendent, notwithstanding any law to the contrary, the board shall prioritize candidates having a minimum qualification of 10 years of employment in a department of education, including no less than 5 years serving as a principal or in a higher level position; provided further that a desired qualification for a candidate for the position of superintendent is having a working understanding of the State's tri level systems of educational administration. -- HB0515 SD2

Committee Reports: HSCR 158 (EDN) HSCR 551 (AGR) HSCR 681 (FIN) SSCR 1118 (EDU/ GVO/) SSCR 1699 (WAM)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 302A-1101

HB0526 HD1 SD2 CD1 (CCR 168)

RELATING TO PROCUREMENT.

Introduced by: Matayoshi S, Hashimoto T, Ichiyama L, Johanson A, Kitagawa L, Tarnas D

Amends provisions relating to the Hawaii public procurement code. Establishes provisions relating to past performance database. Provides that no later than December 31, 2023, the state procurement office shall implement and administer a past performance database with regard to state contractors. -- Amends provisions relating to definitions. Defines past performance to mean available recent and relevant performance of a contractor, including positive, negative, or lack of previous experience, on contracts that shall be considered in a responsibility determination within the relevance of the current solicitation, including the considerations of provisions relating to authority to debar or suspend. -- Amends provisions relating to competitive sealed bidding. Requires criteria that will affect the bid price and be considered in evaluation for award to be as objectively measurable as possible, such as discounts, transportation costs, total or life cycle costs, and the bidder's past performance, if available. -- Amends provisions relating to competitive sealed proposals. Requires the request for proposals to include as an evaluation factor, past performance on projects of similar scope for public agencies or private industry, and shall state the relative importance of price, past performance, and other evaluation factors. Provides that in addition to any other

HOUSE BILLS THAT PASSED THE LEGISLATURE

provisions of this provision, construction projects may be solicited through a request for proposals to use the design build method; provided that past performance on projects of similar scope for public agencies or private industries shall be an evaluation factor for the prequalification of offerors. Amends provisions relating to sole source procurement. Allows a contract to be awarded for goods, services, or construction without competition when the head of a purchasing agency determines in writing that there is only 1 source for the required good, service, or construction, the determination is reviewed and approved by the chief procurement officer, the written determination is posted in the manner described in rules adopted by the policy board, a review of past performance, if available, has been conducted, and no objection is outstanding. Requires the written determination, any objection, past performance evaluations relied upon, and a written summary of the disposition of any objection to be included in the contract file. -- Amends provisions relating to responsibility of offerors. Provides that for the purpose of making a responsibility determination, the procurement officer shall possess or obtain available information, including past performance, sufficient to be satisfied that a prospective offeror meets the applicable standards. -- Amends provisions relating to retention of procurement records by changing the title to retention of procurement records; evaluations. Requires written past performance evaluations for all procurements over the small purchase threshold to be maintained in the processing department's procurement files and in the statewide past performance database. -- HB0526 CD1

Committee Reports: HSCR 103 (GVR) HSCR 396 (JHA) HSCR 686 (FIN) SSCR 1107 (GVO) SSCR 1679 (WAM) CCR 168

Current Status: Apr-28 21 Received by the Governor

Section Affected: 103D- (1 SECTION), 103D-104, 103D-302, 103D-303, 103D-306, 103D-310, 103D-320

HB0541 HD1 SD2 CD1 (CCR 154)

RELATING TO HEALTH.

Introduced by: Yamane R

Amends Act 263, session laws of 2019, relating to health. Provides that there is established within the department of health a working group to evaluate current behavioral health care and related systems and identify gaps in services, coordinate funding sources, and establish and identify outcome measures for persons experiencing behavioral health or substance abuse conditions, and resultant consequences, including homelessness. Requires the working group to consist of the following members as specified. Requires the working group to evaluate as specified. Report to the legislature. Requires the working group to be dissolved on June 30, 2023 (sunset). -- HB0541 CD1

Committee Reports: HSCR 47 (HHH) HSCR 403 (JHA) HSCR 801 (FIN) SSCR 1177 (HTH/ HMS/) SSCR 1702 (WAM) CCR 154

Current Status: Apr-28 21 Received by the Governor

Section Affected: ACT 263 2019

HB0546 HD2 SD2 CD1 (CCR 162)

RELATING TO EDUCATION.

Introduced by: Ilagan G, DeCoite L, Hashimoto T, Holt D, Ichiyama L, Johanson A, Kapela J, Kitagawa L, Lowen N, Marten L, McKelvey A, Mizuno J, Morikawa D, Nakamura N, Nishimoto S, Ohno T, Okimoto V, Quinlan S, Takayama G, Tokioka J, Yamane R

Amends provisions relating to complex area superintendents. Requires complex area superintendents for schools to report directly to the superintendent of education. -- Requires the department of education's office of information technology services to submit a report to the legislature no later than thirty days prior to the convening of the regular session of 2022 with a detailed explanation of how the office of information technology services will be restructured in the next biennium. -- Requires the department of education's office of strategy, innovation, and performance to submit a report to the legislature no later than thirty days prior to the convening of the regular session of 2022 with a detailed explanation of how the office of strategy, innovation, and performance will be restructured in the next biennium. -- HB0546 CD1

Committee Reports: HSCR 460 (EDN) HSCR 867 (JHA) SSCR 1219 (EDU) SSCR 1700 (WAM) CCR 162

Current Status: Apr-28 21 Received by the Governor

Section Affected: 302A-604

HB0552 HD1 SD2 CD1 (CCR 120)

RELATING TO THE ENVIRONMENT.

Introduced by: Lowen N, Branco P, DeCoite L, Ganaden S, Hashem M, Ichiyama L, Ilagan G, Johanson A, Kapela J, Kitagawa L, LoPresti M, Marten L, McKelvey A, Mizuno J, Nakashima M, Ohno T, Perruso A, Takayama G, Tarnas D, Wildberger T

HOUSE BILLS THAT PASSED THE LEGISLATURE

Establishes provisions relating to climate change mitigation. Requires it to be the goal of the State to reduce emissions that cause climate change and build energy efficiencies across all sectors, including decarbonizing the transportation sector. Requires state agencies to manage their fleets to achieve the clean ground transportation goals defined in provisions relating to energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel and decarbonization goals established pursuant to the Hawaii climate change mitigation and adaptation initiative law. -- Establishes provisions relating to the clean ground transportation goal. Requires the department of transportation, in collaboration with the Hawaii state energy office, to develop strategies to transition all light duty motor vehicles in the State's fleets to meet the clean ground transportation goal established pursuant to provisions relating to the energy efficiency and environmental standards for state facilities, motor vehicles, and transportation fuel. -- Amends provisions relating to light duty, motor vehicle requirements by changing the title to motor vehicle requirements. Requires the procurement policy for all agencies purchasing or leasing light, medium, and heavy duty motor vehicles to be to seek vehicles that reduce dependence on petroleum based fuels that meet the needs of the agency. Requires the priority for selecting vehicles to be as follows 0 emission vehicles; plug in hybrid electric vehicles; alternative fuel vehicles; and hybrid electric vehicles. Prohibits vehicles to be larger than necessary for their intended functions. -- Amends provisions relating to state support for achieving alternate fuels standards by amending the title to add and clean ground transportation goals. Requires the State to support the attainment of the clean ground transportation target established in this this provision. -- Amends provisions relating to the department of accounting and general services. Requires the department of accounting and general services to approve state fleet acquisitions; provided that beginning January 1, 2022, all new light duty motor vehicles that are passenger cars purchased for the State's fleet shall be 0 emission vehicles; beginning as soon as practicable but no later than January 1, 2030, all new light duty motor vehicles that are multipurpose passenger vehicles and trucks for the State's fleet shall be 0 emission vehicles; and the comptroller may authorize an exemption for new fleet vehicle purchases if 0 emission vehicles are demonstrated to be cost prohibitive on a lifecycle basis or unsuitable for the vehicles' planned purpose, or if funds are unavailable. (COVID-19, COVID 19, coronavirus) -- HB0552 CD1
Committee Reports: HSCR 246 (EEP/ TRN/) HSCR 510 (CPC) HSCR 728 (FIN) SSCR 1225 (EET/ TRS/) SSCR 1703 (WAM) CCR 120
Current Status: Apr-27 21 Passed Legislature
Section Affected: 225P- (1 SECTION), 264- (1 SECTION), 103D-412, 196-9, 196-42, 26-6

HB0553 HD2 SD2 CD1 (CCR 110)

RELATING TO THE PROTECTION OF SHARKS.

Introduced by: Lowen N, Branco P, DeCoite L, Ganaden S, Hashem M, Hashimoto T, Ichiyama L, Ilagan G, Kapela J, LoPresti M, Marten L, Matayoshi S, McKelvey A, Mizuno J, Nakashima M, Ohno T, Perruso A, Takayama G, Wildberger T
Establishes provisions relating to sharks, mano, prohibitions; exceptions; penalties and fines. Prohibits a person to intentionally or knowingly capture or entangle any shark, whether alive or dead, or kill any shark, within state marine waters. Makes it a misdemeanor and establishes a fines schedule. Establishes exemptions as specified. Allows the department of land and natural resources to establish rules. Allows the department of land and natural resources to issue a non commercial permit for the take of sharks, subject to permit conditions that shall include native Hawaiian cultural protocol, size and species restrictions, and a prohibition on species listed as endangered or threatened pursuant to provisions relating to endangered species and threatened species. -- HB0553 CD1
Committee Reports: HSCR 596 (WAL) HSCR 856 (JHA) SSCR 1058 (AEN/ WTL/) SSCR 1650 (JDC/ WAM/) CCR 110
Current Status: Apr-27 21 Passed Legislature
Section Affected: 188- (1 SECTION), 188-70

HB0561 HD2 SD2 CD1 (CCR 119)

RELATING TO ENERGY.

Introduced by: Lowen N
Amends provisions relating to general powers and duties under public utilities commission. Provides that the public utilities commission shall consider in making determinations of the reasonableness of the costs pertaining to electric or gas utility system capital improvements and operations. Allows the commission to determine that short term costs or direct cost of renewable energy generation that are higher than alternatives relying more heavily on fossil fuels are reasonable, considering the impacts

HOUSE BILLS THAT PASSED THE LEGISLATURE

resulting from the use of fossil fuels. Requires the commission to determine whether such analysis is necessary for proceedings involving water, wastewater, or telecommunications providers on an individual basis. Provides that the analysis described in this provision shall not be required for a utility's routine system replacements, such as overhead or overground line determinations, or determinations that do not pertain to capital improvements or operations, including but not limited to financing requests. -- Amends provisions relating to performance incentive and penalty mechanisms. Provides that the economic incentives and cost recovery mechanisms described in provisions relating to general powers and duties. -- HB0561 CD1

Committee Reports: HSCR 4 (EEP) HSCR 509 (CPC) HSCR 729 (FIN) SSCR 1197 (EET) SSCR 1523 (CPN) CCR 119

Current Status: Apr-27 21 Passed Legislature

Section Affected: 269-6, 269-16.1

HB0566 HD1 SD1 (SSCR 1216)

RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS.

Introduced by: Ichiyama L, Belatti D, Branco P, DeCoite L, Eli S, Hashimoto T, Kapela J, Kitagawa L, Lowen N, Marten L, Matayoshi S, Matsumoto L, Mizuno J, Morikawa D, Nakamura N, Nishimoto S, Perruso A, Takumi R, Tam A, Tarnas D, Todd C, Wildberger T, Yamashita K

Amends provisions relating to abuse of family or household members; penalty. Requires it to be a petty misdemeanor for a person to intentionally or knowingly strike, shove, kick, or otherwise touch a family or household member in an offensive manner; subject the family member or household member to offensive physical contact; or exercise coercive control, as defined in provisions relating to definitions under domestic abuse protective orders, over a family or household member and the person shall be sentenced as provided in provisions relating to authorized fines and sentence of imprisonment for misdemeanor and petty misdemeanor. -- HB0566 SD1

Committee Reports: HSCR 764 (JHA) SSCR 1216 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 709-906

HB0572 HD1 SD1 (SSCR 1594)

RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY.

Introduced by: Ichiyama L, Eli S

Amends provisions relating to the Hawaii emergency management agency. Provides that the department of defense to be headed by a single executive to be known as the adjutant general. Requires the adjutant general to also be the director of homeland security. Requires the department to be responsible for the defense of the State and its people from mass violence, originating from either human or natural causes. -- Amends provisions relating to Hawaii emergency management agency. Provides that there is established the Hawaii emergency management agency, to be placed within the department of defense for administrative purposes only. Requires the administrator of emergency management to serve as the director of Hawaii emergency management and, subject to the direction and control of the governor, shall oversee the agency. Requires there to be an administrator of emergency management who shall be appointed, and may be removed, by the governor, and who shall have at least 3 years of experience leading emergency management efforts at the local, state, or federal level. Requires the appointment to not be subject to the advice and consent of the senate. Reports to the governor. -- HB0572 SD1

Committee Reports: HSCR 214 (PDP) HSCR 832 (FIN) SSCR 1033 (PSM) SSCR 1594 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 26-21, 127A-3

HB0576 HD3 (HSCR 910)

RELATING TO HEALTH CARE.

Introduced by: Ichiyama L, Belatti D, Marten L, Morikawa D, Nakamura N

Establishes provisions relating to advanced practice registered nurses; abortions by medication or aspiration; penalties; refusal to perform. Allows an advanced practice registered nurse to provide medication or aspiration abortion care in the 1st trimester of pregnancy, so long as the advanced practice registered nurse has prescriptive authority; practices within the advanced practice registered nurse's practice specialty; has a valid, unencumbered license obtained in accordance with this law; and the aspiration abortion is performed in a hospital licensed by the department of health or operated by the federal government or an agency thereof, or in a clinic or advanced practice registered nurse's office. Requires any person who knowingly violates this provision to be fined no more than 1,000 dollars or imprisoned no more than 5 years, or both. Provides that nothing

HOUSE BILLS THAT PASSED THE LEGISLATURE

in this provision shall require any hospital or any person to participate in an abortion, nor shall any hospital or any person be liable for a refusal. (COVID-19, COVID 19, coronavirus) -- HB0576 HD3

Committee Reports: HSCR 138 (HHH) HSCR 633 (CPC) HSCR 910 (JHA) SSCR 1178 (HTH/ CPN/)

Current Status: Mar-29 21 Received by the Governor
Apr-12 21 Approved by Governor (Act 3 2021)

Section Affected: 457- (1 SECTION) ADVANCED PRACTICE REGISTERED NURSES

HB0599 HD1 SD1 CD1 (CCR 7)

RELATING TO ASSOCIATION GOVERNANCE.

Introduced by: Johanson A, Kitagawa L, Saiki S

Establishes provisions relating to notice required; regular annual and special meetings. Provides that notwithstanding anything to the contrary in the association documents, that allows the association to conduct an annual, regular, or special meeting remotely in a manner consistent under provisions relating to annual and regular meetings or provisions relating to special meetings, as applicable. -- Amends provisions relating to association meetings. Provides that notwithstanding anything to the contrary in the association's declaration or bylaws or in this provision, electronic meetings and electronic, machine, or mail voting shall be authorized as specified. (COVID-19, COVID 19, coronavirus) -- HB0599 CD1

Committee Reports: HSCR 745 (CPC) SSCR 1522 (CPN) CCR 7

Current Status: Apr-28 21 Received by the Governor

Section Affected: 421J-3.5, 514B-121

HB0601 HD2 SD1 (SSCR 1609)

RELATING TO THE TRAFFIC CODE.

Introduced by: Nakamura N, Belatti D, Eli S, Gates C, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Kitagawa L, LoPresti M, Lowen N, Marten L, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Nakashima M, Perruso A, Quinlan S, Sayama J, Tarnas D, Todd C, Wildberger T, Woodson J, Yamashita K

Amends provisions relating to summons or citation. Requires there shall be provided for use by authorized police officers, or county employees designated by the county chiefs of police, a form of summons or citation for use in citing violators of those traffic laws that do not mandate the physical arrest of violators. -- Amends provisions relating to summons or citation on illegally parked vehicle. Provides that whenever any motor vehicle without a driver is found parked or stopped in violation of any of the restrictions contained in the state traffic laws, the officer or designated county employee finding the vehicle to take its registration number and may take any other information displayed on the vehicle that to identify its registered owner and conspicuously to affix to the vehicle a citation, for the registered owner of record to answer. -- HB0601 SD1

Committee Reports: HSCR 27 (WAL) HSCR 516 (JHA) HSCR 944 (FIN) SSCR 1059 (PSM) SSCR 1609 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 291C-165, 291C-167

HB0613 HD2 SD2 CD2 (HOUSE FLOOR AMENDMENT 2 OR SENATE FLOOR AMENDMENT 7)

RELATING TO EDUCATION.

Introduced by: Woodson J

Appropriation out of the Coronavirus Response and Relief Supplemental (CRRS) Appropriations Elementary and Secondary Schools Emergency Relief (ESSER) Fund appropriation for the department of education; provided that of the Coronavirus Response and Relief Supplemental Appropriations Elementary and Secondary Schools Emergency Relief Fund appropriation for the department of education; for teacher pay differentials as approved by the board of education; for school food services as approved by the board of education; to the Hawaii state public charter school commission for school level programming as approved by the board of education; for summer hubs to address learning loss as approved by the board of education; for summer start kindergarten transition program to address learning loss as approved by the board of education; for summer ohana help desk to address learning loss as approved by the board of education; for connectivity to address learning loss as approved by the board of education; for transportation support services as approved by the board of education; for school food support services as approved by the board of education; for student computer devices as approved by the board of education; for summer school fees as approved by the board of education; to the school facilities agency for personnel, operating, and programmatic expenses; for the weighted student formula; and for repairs and maintenance as follows; for elementary schools; provided that a specified amount

HOUSE BILLS THAT PASSED THE LEGISLATURE

shall be allocated to each elementary school; for middle schools; provided that a specified amount shall be allocated to each middle school; for high schools; provided that a specified amount shall be allocated to each high school; for combined/mixed schools; provided that a specified amount shall be allocated to each combined/mixed school; and for schools with pre kindergarten classrooms; provided that a specified amount shall be allocated to each school with pre kindergarten classrooms; and provided further that any funds not expended for these purposes shall lapse. -- Appropriation out of the American Rescue Plan Elementary and Secondary Emergency Relief Fund appropriation for the department of education; provided that of the American Rescue Plan Elementary and Secondary Schools Emergency Relief Fund appropriation for the department of education; to address learning loss; to the Hawaii state public charter school commission for school level programming; to the office of facilities and operations to address school level needs for safe re opening, including but not limited to improved indoor air quality, food services, transportation, personal protective equipment, and other needs as identified by the Center for Disease Control and Prevention; provided that for indoor air quality measures, priority shall be given to those projects that also provide heat abatement through mechanical cooling, such as air conditioning with appropriate Centers for Disease Control filtration systems; to complex area superintendents for school level programming, including but not limited to programs for social, emotional, mental and physical health service needs, and to foster innovation projects for science, technology, engineering, and mathematics (STEM), career and technical education, Hawaiian culture, sustainability, trauma informed care services, and to address community based issues as follows; for the Kailua Kalaheo complex area; for the Hilo Waiakea complex area; for the Honokaa Kealakehe Kohala Konawaena complex area; for the Farrington Kaiser Kalani complex area; for the Aiea Moanalua Radford complex area; for the Campbell Kapolei complex area; for the Kaimuki McKinley Roosevelt complex area; for the Leilehua Mililani Waialua complex area; for the Nanakuli Waianae complex area; for the Pearl City Waipahu complex area; for the Castle Kahuku complex area; for the Kau Keaau Pahoa complex area; for the Baldwin Kekaulike Maui complex area; for the Hana Lahaina Lanai Molokai complex area; for the Kapaa Kauai Waimea complex area; to Honouliuli middle school for new classroom furnishing and equipment; for administrative costs and emergency needs; provided that funds are not expended for additional compensation for existing positions; to complex area superintendents through the office of curriculum and instructional design for virtual learning, including but not limited to software subscriptions and licenses and other technical resources and materials to support virtual learning based on an approved list provided by the office of curriculum and instructional design; for summer enrichment programs to address learning loss; for comprehensive afterschool programs to address learning loss; to the executive office on early learning for early childhood educators to support and stabilize educator workforce; for underserved student groups as outlined by the US Department of Education, including but not limited to students from low-income families, underserved student groups by gender, race or ethnicity, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, migratory students, and other groups disproportionately impacted by the pandemic (e.g., youth involved in the criminal justice system and LGBTQ+ students); provided that no less than a specific amount shall be expended on community outreach programs to service the needs of the aforementioned students; provided further that funding allocations shall be based on identified underserved groups by complex; to the office of talent management for alternative teacher licensure programs to support and stabilize the educator workforce; for the purpose of educator workforce stabilization to retain teachers; provided that moneys appropriated shall be used for a 1 time stabilization payment for each full time and half time teacher; and to be expended within 4 complex areas; Kauai; Maui (Molokai); Hawaii island (Honokaa Kealakehe, Kohala, Konawaena); and Leilehua Mililani Waialua for the purpose of a pilot greenhouse(s) for sustainability and agriculture training, including robotics and other agricultural technology training; provided that, as much as possible, the greenhouse(s) shall be adjacent to agricultural production centers and develop capacity for future farming and farmers; and provided further that any funding amounts that the Department of Education wishes to reallocate for the purposes of meeting the requirements set forth by the US Department of Education shall receive prior approval of the legislature; provided further that the funds appropriated by this section shall not lapse at the end of the fiscal year for which they are appropriated; provided further that all moneys from the appropriation that are unencumbered as of June 30, 2023, shall lapse as of that date. Requires any pay increases for all superintendents granted by the board of education to only take effect when department heads receive their raise set forth in the most recent salary recommendations by the commission on

HOUSE BILLS THAT PASSED THE LEGISLATURE

salaries. (\$\$) (CARES Act) (COVID-19, COVID 19, coronavirus) -- HB0613 CD2
Committee Reports: HSCR 259 (EDN) HSCR 478 (EDN) HSCR 918 (FIN) SSCR 1120
(EDU) SSCR 1704 (WAM) CCR 160 - filed HOUSE FLOOR
AMENDMENT 2 SENATE FLOOR AMENDMENT 7
Current Status: Apr=29 21 Passed Legislature

HB0631 HD1 SD1 CD1 (CCR 76)

RELATING TO FINANCIAL HARDSHIP.

Introduced by: Gates C, Branco P, Ganaden S, Hashem M, Holt D, Ilagan G, Mizuno J, Morikawa D, Tarnas D

Amends provisions relating to penalty under motor vehicle driver licensing. Requires any person subject to a fine under this provision and who fails to timely pay the fine to be given an opportunity to petition the court to demonstrate that the person's nonpayment or inability to pay is not wilful; provided that if the person petitions the court, the court shall make an individualized assessment of the person's ability to pay based upon the totality of the circumstances, including the person's disposable income, financial obligations, and liquid assets; provided further that if the court determines that the person's nonpayment or inability to pay is not wilful, the court may enter an order that allows additional time for payment; reduces the amount of each installment; revokes the fee or fine, or unpaid portion thereof, in whole or in part; or converts any outstanding fine to community service. -- Amends provisions relating to monetary assessments. Requires the court to consider a person's financial circumstances, if disclosed, in determining the monetary assessment. Allows upon request of a person claiming inability to pay a monetary assessment, the court to grant an extension of the period in which the monetary assessment shall be paid or may impose community service in lieu thereof. Allows at any point before full payment of a monetary assessment, any person who suffers a change in financial circumstances may request a hearing to modify the monetary assessment or to request community service in lieu thereof. -- Amends provisions relating to penalties under motor vehicle insurance law. Requires any person subject to a fine under this section and who fails to timely pay the fine to be given an opportunity to petition the court to demonstrate that the person's nonpayment or inability to pay is not wilful; provided that if the person petitions the court, the court shall make an individualized assessment of the person's ability to pay based on the totality of the circumstances, including the person's disposable income, financial obligations, and liquid assets; provided further that if the court determines that the person's nonpayment or inability to pay is not wilful, the court may enter an order that allows additional time for payment; reduces the amount of each installment; revokes the fee or fine, or unpaid portion thereof, in whole or in part; or converts any outstanding fine to community service. -- Amends provisions relating to consequences of nonpayment; imprisonment for contumacious nonpayment; summary collection. Changes the term of imprisonment for nonpayment of fee, fine, or restitution to be specified in the order of commitment, and shall not exceed 1 day for each from 25 dollars to 250 of the fee or fine, 30 days if the fee or fine was imposed upon conviction of a violation or a petty misdemeanor, or 1 year in any other case, whichever is the shorter period. Changes that a person committed for nonpayment of a fee or fine to be given credit toward payment of the fee or fine for each day of imprisonment, at the rate of 25 dollars to 250 dollars per day. -- HB0631 CD1

Committee Reports: HSCR 187 (JHA) HSCR 891 (FIN) SSCR 1091 (JDC) SSCR 1529 (WAM) CCR 76

Current Status: Apr-27 21 Passed Legislature

Section Affected: 286-136, 291D-9, 431:10C-117, 706-644

HB0663 HD1 SD1 (SSCR 1237)

RELATING TO THE GAME MANAGEMENT ADVISORY COMMISSION.

Introduced by: Nakashima M, Ilagan G, Onishi R

Amends provisions relating to games management advisory commission. Requires a game management advisory commission, to serve in an advisory capacity to the board. Provides that each member, other than the chairperson of the board, to be appointed by the governor from a list of 9 names submitted by the president of the senate and a list of 9 names submitted by the speaker of the house of representatives in the manner provided in provision of selection and terms of members of boards and commissions, shall be a hunter licensed in the State under this law, and shall have leadership experience in working directly with local hunter or shooting organizations. -- HB0663 SD1

Committee Reports: HSCR 597 (WAL) HSCR 821 (JHA) SSCR 1237 (WTL) SSCR 1575 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 183D-4.5

HOUSE BILLS THAT PASSED THE LEGISLATURE

HB0670 HD1 SD2 (SSCR 1648)

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

Introduced by: Nakashima M

Establishes provisions relating to forfeiture of benefits; felony convictions. Provides that if a member, former member, or retirant is convicted of a felony and the court finds that, by a preponderance of the evidence, the felony is related to the employment of the member, former member, or retirant by the State or any county, the court may decree a civil penalty of forfeiture by the member, former member, or retirant of 1/2 of any interest; hypothetical account balance in excess of the amount representing any employee contributions made by or on behalf of the member, former member, or retirant; pension; annuity; or retirement allowance, to which the member, former member, or retirant may otherwise be entitled under this law; provided that upon the death of the member, former member, or retirant, the designated beneficiary of the member, former member, or retirant may receive the reduced benefits to which the member, former member, or retirant would be entitled under this provision; provided further that a designated beneficiary who is also convicted of a felony based on the same set of circumstances as the member, former member, or retirant who were subject to civil penalty under this provision, shall not receive any benefits. -- HB0670 SD2

Committee Reports: HSCR 22 (LAT) HSCR 397 (JHA) HSCR 679 (FIN) SSCR 1256 (LCA) SSCR 1648 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 88- (1 SECTION) FORFEITURE OF BENEFITS

HB0671 HD2 SD2 (FLOOR AMENDMENT 3)

RELATING TO THE CODE OF ETHICS.

Introduced by: Nakashima M

Amends provisions relating to restrictions on post employment. Prohibits any former legislator, within 12 months after termination of the former legislator's employment, to represent any person or business for a fee or other consideration on matters in which the former legislator participated as a legislator, matters involving official action by the legislature, or any administrative action. Subject to the restrictions imposed in this provision, prohibits the governor; lieutenant governor; administrative director of the State; attorney general; comptroller; chairperson of the board of agriculture; director of finance; director of business, economic development, and tourism; director of commerce and consumer affairs; adjutant general; superintendent of education; chairperson of the Hawaiian homes commission; director of health; director of human resources development; director of human services; director of labor and industrial relations; chairperson of the board of land and natural resources; director of public safety; director of taxation; director of transportation; president of the university of Hawaii; executive administrator of the board of regents of the university of Hawaii; administrator of the office of Hawaiian affairs; chief information officer; executive director of the agribusiness development corporation; executive director of the campaign spending commission; executive director of the Hawaii community development authority; executive director of the Hawaii housing finance and development corporation; president and chief executive officer of the Hawaii tourism authority; executive officer of the public utilities commission; state auditor; director of the legislative reference bureau; ombudsman; permanent employees of the legislature, other than persons employed in clerical, secretarial, or similar positions; administrative director of the courts; executive director of the state ethics commission; executive officer of the state land use commission; executive director of the natural energy laboratory of Hawaii authority; executive director of the Hawaii public housing authority; and 1st deputy to the chairperson of the commission on water resource management; provided that this provision shall not apply to any person who has held 1 of the positions listed above only on an interim or acting basis and for a period of less than 181 days. -- HB0671 SD2

Committee Reports: HSCR 531 (GVR) HSCR 873 (JHA) SSCR 1110 (JDC) FLOOR AMENDMENT 3

Current Status: Apr-23 21 Received by the Governor

Section Affected: 84-18

HB0683 HD2 SD1 CD1 (CCR 32)

RELATING TO SUSTAINABLE AVIATION FUEL.

Introduced by: Nakashima M, Johanson A, Mizuno J, Morikawa D, Saiki S

Establishes provisions relating to sustainable aviation fuel program. Establishes the program through which the Hawaii technology development corporation may provide matching grants to any small business in the State that is developing products related to sustainable aviation fuel or greenhouse gas reduction from commercial aviation operations and requires assistance for business planning; technology development; engineering; or research. Provides that in reviewing grant applications pursuant to this

HOUSE BILLS THAT PASSED THE LEGISLATURE

provision, the development corporation shall analyze each application to determine whether the item to be undertaken will be economically viable and beneficial to the State. Provides that for the purposes of the program, product development activities eligible for matching funds grants shall reduce commercial aviation greenhouse gas emissions through sustainable aviation fuel production; airborne operations fuel efficiency; ground support equipment fuel replacement; ground support equipment fuel efficiency; or airport operations support to reduce overall jet fuel consumption. Requires the Hawaii jet fuel baseline carbon intensity shall be set at 89 grams of carbon dioxide equivalent per megajoule, in line with the benchmark established by the International Civil Aviation Organization. Allows this carbon intensity to be revised upon recommendation from the Hawaii state energy office based upon future revisions to the US Department of Energy's Greenhouse Gases, Regulated Emissions, and Energy Use in Transportation full life cycle model; provided that carbon intensity shall be measured in the units of grams of carbon dioxide equivalent per megajoule. -- HB0683 CD1

Committee Reports: HSCR 74 (ECD) HSCR 500 (CPC) HSCR 936 (FIN) SSCR 1142 (TRS/ EET/) SSCR 1541 (WAM) CCR 32

Current Status: Apr-27 21 Passed Legislature

Section Affected: 206M- (1 SECTION) SUSTAINABLE AVIATION FUEL PROGRAM

HB0723 HD1 SD2 CD1 (CCR 35)

RELATING TO PANDEMIC RESPONSE.

Introduced by: Ichiyama L

Amends Act 9, session laws of 2020, relating to the state budget. Appropriation out of the emergency and budget reserve fund established under section 328L-3, Hawaii Revised Statutes, from the amounts received by the State of Hawaii from the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, to the department of defense to be used for the purchase and distribution of personal protective equipment and industrial hygiene products to hospitals, childcare facilities, elderly care facilities, businesses, non profits, schools, and all state departments and attached agencies, pursuant to Public Law 116-136 and associated guidance issued by appropriate federal agencies. (COVID-19, COVID 19, coronavirus) (\$\$) -- HB0723 CD1

Committee Reports: HSCR 127 (PDP/ ECD/) HSCR 834 (FIN) SSCR 1160 (HTH) SSCR 1680 (WAM) CCR 35

Current Status: Apr-27 21 Passed Legislature

Section Affected: ACT 9 2020

HB0741 HD2 SD1 (SSCR 1214)

RELATING TO ETHICS.

Introduced by: Nakashima M

Amends provisions relating to manner of filing; public records. Requires all statements required by this law to be filed with the state ethics commission to be maintained by the state ethics commission for a period of 6 years from the date of filing; and shall constitute part of the public records of the state ethics commission. -- HB0741 SD1

Committee Reports: HSCR 532 (GVR) HSCR 875 (JHA) SSCR 1214 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 97-4

HB0753 HD1 SD2 (SSCR 1595)

RELATING TO SCHOOL IMPACT FEES.

Introduced by: Holt D, Hashimoto T, Nakamura N, Quinlan S, Takayama G, Todd C
Amends provisions relating to applicability and exemptions. Exempts any form of housing developed by the department of Hawaiian home lands for use by beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, from school impact fees.

-- Amends provisions relating to accounting and expenditure requirements. Requires construction cost component impact fees to be used only to improve or renovate existing structures for school use. Prohibits construction cost component impact fees to be used to replace an existing school located within the same school impact district, either on the same site or on a different site. Repeals the provision that prohibits construction cost component impact fees to be expended for portable or temporary facilities. Repeals provisions requiring an expenditure plan for all collected impact fees to be incorporated into the annual budget process of the department of education and subject to legislative approval of the budget. Specific sections of Act to be repealed on July 1, 2024 (sunset) and reenacted. -- HB0753 SD2

Committee Reports: HSCR 87 (WAL) HSCR 519 (JHA) HSCR 945 (FIN) SSCR 1137 (EDU/ HWN/) SSCR 1595 (WAM)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 302A-1603, 302A-1608

HOUSE BILLS THAT PASSED THE LEGISLATURE

- HB0766 HD1 SD2 CD1 (CCR 127) RELATING TO THE DEPARTMENT OF TRANSPORTATION.
Introduced by: Cullen T, Aquino H, Yamane R
Changes appropriation to the department of transportation out of the state highway fund the sum of from 800,000 dollars to 2 million for fiscal year 2020 - 2021; 400,000 dollars for fiscal year 2021 - 2022; and 400,000 dollars for fiscal year 2022 - 2023 to be deposited into the photo red light imaging detector systems special fund. Changes appropriation out of the photo red light imaging detector systems special fund the sum of from 800,000 dollars to 2 million for fiscal year 2020 - 2021; 400,000 dollars for fiscal year 2021 - 2022; and 400,000 dollars for fiscal year 2022 - 2023 for the photo red light imaging detector systems pilot program; provided that the department of transportation shall expend 112,602 dollars in fiscal year 2021 - 2022, fiscal year 2022 - 2023, and fiscal year 2023 - 2024 for the funding of 1 permanent full time (1.00 FTE) deputy prosecuting attorney position within the department of the prosecuting attorney of the city and county of Honolulu. (\$\$) -- HB0766 CD1
Committee Reports: HSCR 113 (TRN) HSCR 361 (CPC) HSCR 816 (FIN) SSCR 1027 (TRS) SSCR 1705 (WAM) CCR 127
Current Status: Apr-27 21 Passed Legislature
Section Affected: ACT 30 2020
- HB0767 HD2 SD2 (SSCR 1596) RELATING TO THE FARM TO SCHOOL PROGRAM.
Introduced by: Cullen T, Hashem M, Luke S, Perruso A
Establishes provisions relating to Hawaii farm to school program; farm to school coordinator. Establishes within the department a Hawaii farm to school program. Requires the farm to school program to improve student health; develop an educated agricultural workforce; enrich the local food system through the support and increase of local food procurement for the State's public schools; accelerate garden and farm based education for the State's public school students; and expand the relationships between public schools and agricultural communities. Requires the Hawaii farm to school program to be headed by a farm to school coordinator who shall work in collaboration with the appropriate stakeholders to address the issues of supply, demand, procurement, and consumption of Hawaii grown foods in state facilities, primarily education facilities, and take reasonable steps to incorporate more agriculture and nutrition education in schools. -- Establishes provisions relating to farm to school meals. Provides that by 2030, the department shall meet the local farm to school meal goal that 30 per cent of food served in public schools shall consist of locally sourced products, as measured by the percentage of the total cost of food. Report to the legislature. -- Repeals provisions relating to the Hawaii farm to school program; farm to school coordinator. -- HB0767 SD2
Committee Reports: HSCR 59 (AGR) HSCR 463 (EDN) HSCR 659 (FIN) SSCR 1128 (EDU/ AEN/) SSCR 1596 (WAM)
Current Status: Apr-27 21 Passed Legislature
Section Affected: 302A- (2 SECTIONS), 141-11
- HB0774 HD1 SD2 CD1 (CCR 173) RELATING TO DEVELOPMENT DISTRICTS.
Introduced by: Yamashita K, Hashimoto T, Tarnas D, Woodson J
Establishes provisions relating to Pulehunui community development district. Establishes provisions relating to district; established; boundaries. Establishes the Pulehunui community development district and requires the district to be composed of specific properties. -- Establishes provisions relating to development policies. Requires the following development policies to govern the district authority board's actions in the district; allows the district authority board to engage in planning, designing, and construction activities within and outside the district; requires archaeological, historical, and cultural sites to be preserved and protected in accordance with the historic preservation law; requires endangered species of flora and fauna to be preserved to the extent required by law; requires land use and development activities within the district to be coordinated with and, to the extent possible, complement existing county and state policies, plans, and programs affecting the district; and requires public facilities within the district to be planned, located, and developed to support the development policies established by this provision and any rules adopted pursuant to this law. -- Establishes provisions relating to financial aid from and contracts with the federal government. Allows the district authority board to borrow money or accept grants from the federal government for or in aid of any development project the district authority board is authorized to undertake pursuant to this provision; issue bonds or other evidence of indebtedness and pledge revenues and other assets as security for indebtedness incurred pursuant to this provision; repay any indebtedness incurred pursuant to this provision, including any interest thereon; procure insurance or loan guarantees from the

HOUSE BILLS THAT PASSED THE LEGISLATURE

federal government for the payment of any debts or parts thereof secured by mortgages made or held by the district authority board; comply with any conditions required by the federal government in any contract for federal assistance; and execute contracts with the federal government. Provides that it is the purpose and intent of this provision to authorize the district authority board to do all things necessary to secure the cooperation of and financial aid from the federal government for any planning, design, construction, maintenance, and development that the district authority board is authorized to undertake pursuant to this provision. -- Establishes provisions relating to development district governance; memorandum of agreement; annual comprehensive report (annual report to the legislature). -- Establishes provisions relating to community development district authority boards; established. Establishes community development district authority boards to govern each of the community development districts specified in Hawaii community development authority law. Requires the district authority boards to carry out the duties and responsibilities set forth in this law and as further delegated by the department of business, economic development, and tourism and the authority. Provides that except as otherwise provided by law, the district authority boards may make and execute contracts and all other instruments necessary or convenient for planning and developing the respective community development districts. Provides that upon establishment, a district authority board shall assume custodial care of all; financial assets; real property, including land, structures, and fixtures; and other physical assets, such as personal property, including furnishings, equipment, and inventory, of the authority within its regional system. Prohibits a sale or encumbrance of any real property or other financial assets or physical assets of the authority to be permitted without the mutual consent of the authority and the appropriate district authority board. Requires each district authority board to comprise 9 members to be appointed by the governor, or as provided in this provision, as specified. -- Amends provisions relating to Hawaii community development authority; established. Amends membership of the Hawaii community development authority. -- Amends provisions relating to powers; generally by changing the title to powers; generally; district authority boards; authority. Amends all powers assigned to the district authority boards and Hawaii community development authority. -- Amends provisions relating to assignment of powers and duties prohibited. Prohibits the authority and district authority boards to assign to any person or agency, including the executive director of the authority, any of the authority or district authority board's powers and duties related to the approval of any variance, exemption, or modification of any provision of a community development plan or community development rules. -- Repeals provision relating to finding and purpose under the Hawaii community development authority law. -- Amends provisions under the Hawaii community development authority law. Redefines authority in specific sections to mean either Kakaako community development district authority board; Hawaii community development authority; Kalaeloa community development district authority board; or Heeia community development district authority board. -- Amends provisions relating to definition of public lands. Exempts from the definition of public lands, lands to which the Hawaii community development authority and community development district authority boards in their corporate capacities hold title. -- Amends provisions relating to legislative approval of sale or gift of lands. Prohibits this provision to apply to reserved housing conveyed by the Hawaii community development authority or community development district authority boards. -- Requires all rules, policies, procedures, guidelines, and other materials adopted or developed by the Hawaii community development authority prior to July 1, 2022, that implement provisions of the Hawaii Revised Statutes to remain in full force and effect until amended or repealed by the Hawaii community development authority or a community development district authority board pursuant to administrative procedure law. -- Requires all actions taken by the Hawaii community development authority prior to July 1, 2022, to remain in full force and effect until amended or repealed by the Hawaii community development authority or a community development district authority board. -- HB0774 CD1

Committee Reports: HSCR 429 (WAL) HSCR 715 (FIN) SSCR 1144 (EET/ WTL/ SSCR 1710 (WAM) CCR 173

Current Status: Apr-28 21 Received by the Governor

Section Affected: 206E- (7 SECTIONS) PULEHUNUI COMMUNITY DEVELOPMENT DISTRICT, 206E- (1 SECTION), 206E-2, 206E-3, 206E-4, 206E-4.1, 206E-1, 201H-23, 206E- (1 SECTION), 206E-34, 206E-181, 206E- (1 SECTION), 206E-191, 206E-201, 46-102, 84-17, 171-2, 171-64.7

HB0776 HD1 SD2 CD1 (CCR 30)

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO

HOUSE BILLS THAT PASSED THE LEGISLATURE

ASSIST PUEO DEVELOPMENT, LLC.

Introduced by: Yamashita K, DeCoite L, Hashimoto T, McKelvey A, Woodson J
Authorizes the issuance of special purpose revenue bonds, with the approval of the governor, to assist Pueo Development, LLC, a Hawaii limited liability company, for its proposed master planned development that will include low and moderate income homes, rental housing units, elderly care units, alternative energy development, agricultural development; and infrastructure development, including roads and utilities. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0776 CD1

Committee Reports: HSCR 188 (JHA) HSCR 893 (FIN) SSCR 1023 (HWN) SSCR 1533 (WAM) CCR 30

Current Status: Apr-27 21 Passed Legislature

HB0817 HD2 SD2 (SSCR 1639)

RELATING TO AGRICULTURE.

Introduced by: Matayoshi S, Branco P, Hashem M, Hashimoto T, Holt D, Kapela J, LoPresti M, Lowen N, Marten L, McDermott B, McKelvey A, Perruso A, Tarnas D, Todd C

Establishes provisions relating to contracts for produce; percentage to be grown within the State. Requires each principal department of the State, as established in provisions relating to structure of government, that purchases produce to ensure that a certain percentage of the produce purchased by that department is fresh local agricultural products and local value added, processed, agricultural, or food products as specified. Reports to the legislature. -- HB0817 SD2

Committee Reports: HSCR 255 (GVR) HSCR 504 (CPC) HSCR 647 (FIN) SSCR 982 (AEN) SSCR 1639 (WAM/ JDC/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 27- (1 SECTION) CONTRACTS FOR PRODUCE

HB0824 HD2 SD2 CD1 (CCR 126)

RELATING TO INTOXICATING LIQUOR.

Introduced by: Johanson A

Establishes provisions relating to reporting of shipments by carriers. Requires any express carrier company, common or contract carrier to prepare and file a monthly specified report requirements with the liquor commission or liquor control adjudication board of each county. Exempts water carriers as defined and regulated by the Surface Transportation Board of the US, or other person that transports liquor from outside the State for delivery in the State to any person, and those having a class 1 manufacturer license or class 3 wholesale dealer license. Provides that reports received by a county liquor commission or liquor control adjudication board shall be subject to uniform information practices Act; and may provide reports received to any other department or agency. Provides that upon written request of a county liquor commission or adjudication board, requires the information or records supporting the report to be filed with the requesting liquor commission or adjudication board within 30 days and any records containing information relating to reports to be preserved for 3 years. -- HB0824 CD1

Committee Reports: HSCR 200 (TRN) HSCR 506 (CPC) HSCR 817 (FIN) SSCR 1141 (CPN) SSCR 1657 (WAM) CCR 126

Current Status: Apr-27 21 Passed Legislature

Section Affected: 281- (1 SECTION) REPORTING OF SHIPMENTS BY CARRIERS

HB0834 HD1 SD1 CD1 (CCR 112)

RELATING TO A BLACK CINDER CONE QUARRY SITE SURVEY.

Introduced by: Ilagan G, Aquino H, Cullen T, Hashem M, Hashimoto T, Holt D, Ichiyama L, Johanson A, Kitagawa L, Kobayashi B, McKelvey A, Mizuno J, Nakamura N, Nishimoto S, Ohno T, Quinlan S, Takayama G, Tam A, Tarnas D, Todd C, Woodson J, Yamane R

Requires the department of land and natural resources, in collaboration with the county of Hawaii to conduct site surveys on the island of Hawaii to identify the most suitable locations for new black cinder cone quarries. Report to the legislature. Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the department of land and natural resources for the purposes of this Act. (\$\$) -- HB0834 CD1

Committee Reports: HSCR 428 (WAL) HSCR 716 (FIN) SSCR 1203 (WTL) SSCR 1658 (WAM) CCR 112

Current Status: Apr-27 21 Passed Legislature

HB0862 HD2 SD2 CD1 (CCR 184)

RELATING TO STATE GOVERNMENT.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Marten L, Tam A, Wildberger T

Establishes provisions relating to the Pacific international space center for exploration systems. Transfers administration of the Pacific international space center for exploration systems from the department of business, economic development, and tourism to the university of Hawaii at Hilo. -- Repeals provisions relating to the office of aerospace development, aerospace advisory committee, and the Hawaii unmanned aerial systems test site advisory board. -- Requires the Challenger center Hawaii program to be transferred from the office of aerospace development and placed within the department of education for administrative purposes. Provides that on July 1, 2021, the budget of the office of aerospace development that is specifically allocated to the Challenger center Hawaii program shall be transferred to the department of education. -- Establishes provisions relating to the county transient accommodations tax. Allows each county to establish a transient accommodations tax not to exceed the maximum rate set forth in section 237D-____. Requires the county transient accommodations tax to be in addition to any state transient accommodations tax. Requires a county electing to establish a transient accommodations tax pursuant to this provision to do so by ordinance. -- Establishes provisions relating to county transient accommodations tax; administration. Requires the county transient accommodations tax, upon the adoption of a county ordinance and in accordance with the requirements of section 46-____, to be levied, assessed, and collected as provided in this section on all gross rental, gross rental proceeds, and fair market rental value taxable under this law. Prohibits a county to set its transient accommodations tax at a rate greater than 3 per cent of all gross rental, gross rental proceeds, and fair market rental value taxable under this law. Provides that with respect to the county transient accommodations tax, the applicable county director of finance shall have all the rights and powers of the director of taxation provided under this chapter. Requires the county transient accommodations tax, if adopted, to be imposed on the gross rental, gross rental proceeds, and fair market rental value of all written contracts that require the passing on of the taxes imposed under this chapter; provided that if the gross rental, gross rental proceeds, and fair market rental value are received as payments beginning in the taxable year in which the taxes become effective, on contracts entered into prior to the adoption of the ordinance pursuant to section 46-____, and the written contracts do not provide for the passing on of increased rates of taxes, the county transient accommodations tax shall not be imposed on the gross rental, gross rental proceeds, and fair market rental value covered under the written contracts. Prohibits a county transient accommodations tax to be established on any form of accommodation that is exempt from the taxes imposed by this law pursuant to provisions relating to exemptions under transient accommodations tax law. -- Amends provisions relating to remittances; distribution to counties by changing its title to remittances. Decreases transient accommodations tax allocation to the convention center enterprise special fund. Repeals transient accommodation tax allocation to the counties. -- Amends provisions relating to tourism special fund; Hawaii tourism authority; establishment; board; president and chief executive officer; powers, generally. Effective January 1, 2022, repeals provisions relating to the tourism special fund and repeals certain compensation package limits for the president and chief executive officer of the Hawaii tourism authority. -- Amends provisions relating to exemption of authority from taxation and Hawaii public procurement code. Repeals the Hawaii tourism authority's exemption from the public procurement code. -- Appropriation out of the funds received by the State from the American Rescue Plan Act, Public Law 117-2, Section 9901, to the department of business, economic development, and tourism for the Hawaii tourism authority. (\$\$) (COVID-19, COVID 19, coronavirus) -- HB0862 CD1

Committee Reports: HSCR 440 (ECD) HSCR 937 (FIN) SSCR 1132 (EET/ HRE/)
SSCR 1711 (WAM/ CPN/) CCR 184

Current Status: Apr-27 21 Passed Legislature

Section Affected: 304A- (6 SECTIONS) PACIFIC INTERNATIONAL SPACE
CENTER FOR EXPLORATION SYSTEMS, 201-71, 201-72,
201-72.5, 201-72.6, 201-72.7, 201-73, 201-75, 201-76, 201-77,
201-78, 201-79, 201-80, 201-80.2, 46- (1 SECTION), 237D- (1
SECTION), 87A-42, 171-19, 184-3.4, 198D-2, 237D-2, 237D-6.5,
201B-11, 36-27, 36-30, 171-172, 201B-2, 201B-3, 201B-8,
201B-10, 201B-12

HB0863 HD2 SD2 CD1 (CCR 114)

RELATING TO FORESTRY.

Introduced by: Marten L, DeCoite L, Ichiyama L, Kapela J, LoPresti M, Lowen N, Mizuno J, Morikawa D, Nakamura N, Tam A, Tarnas D, Ward G

Appropriation out of the funds received by the State of Hawaii from the American Rescue

HOUSE BILLS THAT PASSED THE LEGISLATURE

Plan Act of 2021, Public Law 117-2 (Section 9901), to the department of land and natural resources for the forest stewardship program to build and expand facilities of the state tree nurseries. (\$\$) -- HB0863 CD1

Committee Reports: HSCR 538 (WAL) HSCR 863 (FIN) SSCR 1238 (WTL) SSCR 1659 (WAM) CCR 114

Current Status: Apr-27 21 Passed Legislature

HB0869 HD1 SD1 CD1 (CCR 155)

RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST LUANA KAI A LIFE PLAN COMMUNITY.

Introduced by: Nakamura N, Hashimoto T, Holt D, Matayoshi S, McKelvey A, Mizuno J, Morikawa D, Quinlan S, Todd C, Wildberger T

Authorizes the issuance of special purpose revenue bonds, with the approval of the governor, to assist Luana Kai A Life Plan Community, a Hawaii nonprofit corporation in the development and operation of a continuing care retirement community. Authorizes the issuance of refunding special purpose revenue bonds to refund the special purpose revenue bonds. (\$\$) -- HB0869 CD1

Committee Reports: HSCR 608 (HHH) HSCR 700 (FIN) SSCR 1103 (HOU) SSCR 1598 (WAM) CCR 155

Current Status: Apr-28 21 Received by the Governor

HB0887 HD1 SD2 CD1 (CCR 45)

RELATING TO CRIME.

Introduced by: Saiki S (BR)

Establishes provisions relating to commercial sexual exploitation. Provides that a person commits the offense of commercial sexual exploitation if the person provides, agrees to provide, or offers to provide a fee or anything of value to another to engage in sexual conduct. Establishes penalties. -- Amends provisions relating to time limitations under preliminary provisions law. Allows a prosecution for sex trafficking to be commenced at any time. -- Amends provisions relating to prostitution. Provides that a person commits the offense of prostitution if the person engages in, or agrees or offers to engage in, sexual conduct with another person in return for a fee or anything of value; exempts this provision to apply any member of a police department, a sheriff, or a law enforcement officer acting in the course and scope of duties; provided that the member of a police department, sheriff, or law enforcement officer is engaging in undercover operations; provided further that under no circumstances shall sexual contact initiated by a member of a police department, sheriff, or law enforcement officer; sexual penetration; or sadomasochistic abuse be considered to fall within the course and scope of duties. -- Amends provisions relating to advancing prostitution; profiting from prostitution; definition of terms. Clarifies terms advances prostitution and profits from prostitution. Prohibits definitions in advances prostitution and profits from prostitution to include those engaged in conduct outlined in provisions relating to prostitution as the prostituted person or this provision as the person engaged in commercial sexual exploitation. -- Amends provisions relating to sex trafficking. Adds coercion to offense of sex trafficking. -- Amends provisions relating to solicitation of a minor for prostitution by changing title to commercial sexual exploitation of a minor. Provides that a person 18 years of age or older commits the offense of commercial sexual exploitation of a minor if the person intentionally, knowingly, or recklessly offers or agrees to provide anything of value to a member of a police department, a sheriff, or a law enforcement officer who represents that person's self as a minor to engage in sexual conduct; provides anything of value to a minor or 3rd person as compensation for having engaged in sexual conduct with a minor; agrees to provide or offers to provide anything of value to a minor or 3rd person for the purpose of engaging in sexual conduct with a minor; or solicits, offers to engage in, or requests to engage in sexual conduct with a minor in return for anything of value. Increases penalty. -- HB0887 CD1

Committee Reports: HSCR 756 (JHA) SSCR 1146 (HMS) SSCR 1654 (JDC) CCR 45

Current Status: Apr-27 21 Passed Legislature

Section Affected: 712- (1 SECTION), 701-108, 712-1200, 712-1201, 712-1202, 712-1207, 712-1209, 712-1209.1, 712-1209.5, 712-1209.6, 712A-4, 806-83, 846E-1, 853-4

HB0891 HD2 SD2 CD1 (CCR 165)

RELATING TO ELECTRIC GUNS.

Introduced by: Saiki S (BR)

Establishes provisions relating to restrictions on use, offer for sale, distribution, and transfer of electric guns and cartridges. Prohibits any person to knowingly or recklessly use an electric gun for any purpose except self defense; defense of another person; or protection of property of the person or of another person. Prohibits any person to

HOUSE BILLS THAT PASSED THE LEGISLATURE

knowingly sell, offer to sell, distribute, or otherwise transfer an electric gun or cartridge without a license. Provides that it is an affirmative defense to prosecution pursuant to this provision that the person is more than 21 years of age and is an employee of a licensee acting within the scope of the person's employment. Prohibits a licensee or employee of a licensee to knowingly sell, offer to sell, distribute, or otherwise transfer an electric gun or cartridge at a place other than the licensee's designated place of business. Prohibits any person to knowingly sell, offer for sell, distribute, or otherwise transfer an electric gun or cartridge to a person less than 21 years of age. Prohibits any person, other than a licensee, a law enforcement agency, or the army or air national guard, to knowingly or recklessly purchase, obtain, or otherwise receive an electric gun or cartridge from a person who does not have a license. Requires any person violating this provision to be guilty of a misdemeanor. -- Establishes provisions relating to license to sell, offer to sell, distribute, or otherwise transfer electric guns or cartridges; fee; sale offer for sale, distribution, or transfer of electric guns or cartridges; disposal of electric gun or cartridge; ownership or possession prohibited; exemptions; storage of electric gun; responsibility with respect to minors; carrying or use of electric gun in the commission of a separate misdemeanor; carrying or use of electric gun in the commission of a separate felony. -- Repeals provisions relating to restriction on possession, sale, gift, or delivery of electric guns. -- HB0891 CD1

Committee Reports: HSCR 237 (CPC) HSCR 882 (JHA) SSCR 1517 (JDC) FLOOR AMENDMENT 4 CCR 165

Current Status: Apr-28 21 Received by the Governor

Section Affected: 134- (10 SECTIONS) ELECTRIC GUNS, 121-34.5, 134-1, 134-17, 266-24, 463-10.5, 134-16

HB0895 SD1 (SSCR 1207)

RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE.

Introduced by: Saiki S (BR)

Amends provisions relating to credit for time of detention prior to sentence; credit for imprisonment under earlier sentence for same crime. Provides that notwithstanding this provision and any other law to the contrary, when a defendant is convicted for a crime committed while serving a sentence of imprisonment on a separate unrelated felony conviction, and the defendant was detained prior to conviction for the subsequent offense while serving the term of imprisonment for the separate unrelated felony conviction, the period of detention served for the subsequent offense shall not be deducted from the term of imprisonment imposed on the defendant for the prior conviction. -- HB0895 SD1

Committee Reports: HSCR 772 (JHA) SSCR 1207 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 706-671

HB0929 HD1 SD1 (SSCR 1257)

RELATING TO QUALIFIED DOMESTIC RELATIONS ORDERS.

Introduced by: Saiki S (BR)

Amends provisions relating to distribution of property in a divorce action. Requires the employees' retirement system to review an order or proposed order for compliance with the requirements imposed by this provision. Allows the notification to also be provided to the member, former member with vested benefit status, retirant, or alternate payee. Provides that the system's notification is advisory, and shall not constitute a determination that a proposed domestic relations order is or is not a Hawaii domestic relations order. Provides that if a member or former member with vested benefit status terminates membership in the system by withdrawal of contributions or hypothetical account balance, the system shall pay all or a portion of the amount withdrawn to any alternate payee as directed by a Hawaii domestic relations order. Provides that if after terminating membership in the system by withdrawal of contributions or hypothetical account balance, the former member later resumes membership in the system, the system shall pay to an alternate payee no portion of any benefits that result from the resumption of membership, even if those benefits result in part from reinstatement of service credit initially credited during the marriage. Provides that payments made to alternate payees according to the terms of Hawaii domestic relations orders are payments received by the retirant for purposes of provisions relating to election of retirement allowance option and the benefit that the retirant received for purposes of provisions relating to election of retirement allowance option. Requires the priority of Hawaii domestic relations orders to be determined by the order in which the certified copies of domestic relations orders are received by the system for qualification as a Hawaii domestic relations order, and not by the order in which domestic relations orders are determined to be Hawaii domestic relations orders, the order in which the domestic relations orders are entered by the court, the date the complaint for divorce is filed, the

HOUSE BILLS THAT PASSED THE LEGISLATURE

date upon which an order of divorce is entered, or the date of marriage. Requires this Act to apply to all domestic relations orders submitted on or after its effective date. -- HB0929 SD1

Committee Reports: HSCR 388 (JHA) HSCR 935 (FIN) SSCR 1257 (LCA) SSCR 1615 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 88-93.5

HB0930 HD1 SD2 CD1 (CCR 171)

RELATING TO EMPLOYEES' RETIREMENT SYSTEM INVESTMENTS.

Introduced by: Saiki S (BR)

Amends provisions relating to disclosure of information. Provides that the following documents relating to the system's alternative investments shall be exempt from disclosure under the uniform information practices Act (modified); private placement memoranda; fund agreements and related documents, including subscription agreements, management agreements, side letters, guarantees, credit facility agreements, participation agreements, and trust documents; confidential presentations or recommendations made to the system; due diligence memoranda and other due diligence materials, including due diligence questionnaires; documents containing information on any portfolio company, real property, or any other assets held by an alternative investment vehicle; financial statements and other documents containing financial information of a fund or its general partner or manager, whether audited or unaudited, including but not limited to specific statements or information; confidential correspondences between an alternative investment vehicle or its general partner, manager, advisor, or limited partner advisory committee, and the system; capital call and distribution notices; limited partner advisory committee and limited partner meeting notices, minutes, and materials, including without limitation any materials distributed at those meetings; investment management agreements; and placement agent disclosures and similar documents. Provides that the exemptions from disclosure under the uniform information practices Act (modified) set forth in this provision are in addition to any other records that may be exempt from disclosure pursuant to the uniform information practices Act (modified) or any other law. -- HB0930 CD1

Committee Reports: HSCR 331 (LAT) HSCR 807 (FIN) SSCR 1258 (LCA) SSCR 1638 (WAM/ JDC/) CCR 171

Current Status: Apr-28 21 Received by the Governor

Section Affected: 88-103.5

HB0940 HD2 SD1 (SSCR 1090)

RELATING TO SECURITIES.

Introduced by: Saiki S (BR)

Establishes provisions relating to protection of elders and vulnerable adults from financial exploitation. Provides that if a qualified person reasonably believes that financial exploitation of an elder or vulnerable adult may have occurred, may have been attempted, or is being attempted, the qualified person shall promptly notify the commissioner of securities. Requires a qualified person who, in good faith and exercising reasonable care, makes a disclosure of information pursuant to this provision to be immune from administrative or civil liability that might otherwise arise from the disclosure or for any failure to notify the commissioner of the disclosure. Establishes provisions relating to 3rd party disclosures; and immunity for 3rd party disclosures. -- Establishes provisions relating to delaying disbursements or transactions. Authorizes the delay of disbursements and transactions in situations of suspected financial exploitation. -- Establishes provisions relating to immunity for delaying disbursements or transactions; records; and multiple duties to report. -- HB0940 SD1

Committee Reports: HSCR 296 (CPC) HSCR 880 (JHA) SSCR 1090 (CPN) SSCR 1576 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 485A- (9 SECTIONS) PROTECTION OF ELDERS AND VULNERABLE ADULTS FROM FINANCIAL EXPLOITATION

HB0941 HD1 SD2 CD1 (CCR 8)

RELATING TO THE USE OF ELECTRONIC FILING BY THE PUBLIC UTILITIES COMMISSION.

Introduced by: Saiki S (BR)

Amends provisions relating to annual report and register of orders under public utilities commission. Requires electronic copies of the annual reports to the legislature and the governor. -- Amends provisions relating to electronic copies of documents. Repeals that require electronic documents to be submitted on a clearly marked compact disk and to be in portable document format saved in separate files corresponding to the original

HOUSE BILLS THAT PASSED THE LEGISLATURE

paper document submission; provided that electronic documents submitted under confidential seal to be submitted on a separate compact disk, clearly marked as confidential and indicating the appropriate docket number and subject. -- Amends provisions relating to certificates of public convenience and necessity. Requires application for certificates to be made in to include on paper or electronically. -- Amends provisions relating to commission may institute proceedings to enforce law. Repeals that provide any public utility or any person is violating or neglecting to comply with regulation. Adds that requires the public utilities commission to inform the public utility or the person to correct deficiency to include on paper or electronically. Allows any person served with a citation to include submit on paper or electronically. -- Amends provisions relating to performance incentive and penalty mechanisms. Requires the commission to include on paper or electronic report to the legislature. Requires every public utility toe file with the commission a verified to include paper or electronic copy of any unwritten contract or agreement. Repeals that require electronic documents to be submitted on a clearly marked compact disk and to be in portable document format saved in separate files corresponding to the original paper document submission; provided that electronic documents submitted under confidential seal to be submitted on a separate compact disk, clearly marked as confidential and indicating the appropriate docket number and subject. -- Amends provisions relating to reports and decisions of commission. Requires all reports entered of record, to include paper or an electronic comp to be furnished to parties of record in the proceeding. Amends provisions relating to permits for contract carriers by motor vehicle under motor carrier law. Requires applications for permits to be made to include paper or electronically to the public utilities commission. -- Amends provisions relating to hearing. Allows complaints to be made to include on paper or electronically. Amends provisions relating to electronic copies of documents under Hawaii water carrier Act. Repeals that require electronic documents to be submitted on a clearly marked compact disk and to be in portable document format saved in separate files corresponding to the original paper document submission; provided that electronic documents submitted under confidential seal to be submitted on a separate compact disk, clearly marked as confidential and indicating the appropriate docket number and subject. -- Amends provisions relating to unlawful operation. Repeals that provide any water carrier, or any officer, agent, employee or representative thereof, who shall fail or refuse to comply with regulation. Requires a penalty to become due and payable when the person incurring it receives a notice or any person served with a citation to include on paper or electronically. Requires the public utilities commission to conform its electronically filed documents and its electronic filing processes to comply with the Americans with Disabilities Act and all existing federal laws and regulations to ensure equal access for individuals with disabilities. -- HB0941 CD1

Committee Reports: HSCR 297 (CPC) HSCR 654 (FIN) SSCR 1020 (CPN) SSCR 1535 (WAM) CCR 8

Current Status: Apr-28 21 Received by the Governor

Section Affected: 269-5, 269-6.5, 269-7.5, 269-15, 269-16, 269-19.5, 271-9.5, 271-10, 271-13, 271-31, 271G-7.5, 271G-19

HB0943 HD1 SD2 CD1 (CCR 9)

RELATING TO NONDEPOSITORY TRUSTS.

Introduced by: Saiki S (BR)

Establishes provisions relating to nondepository trust companies under code of financial institutions law. Establishes powers and duties. Provides that unless otherwise prohibited or restricted by this provision or any other law, a nondepository trust company shall have the general powers specified in provisions relating to special powers. Prohibits a nondepository trust company to solicit, accept, or hold deposits; engage in banking business; engage in business for which a real estate broker's license is required; engage in any business for which an insurance producer license is required; or engage in any business of securities broker or dealer. Requires that a nondepository trust company to not itself perform, and instead to contract for financial advisors for client investments; property management for client rental properties; or real estate brokerages for client real estate transactions for its clients, if needed. Requires a nondepository trust company to be responsible for the performance of the service providers that it engages for its clients. -- Amends provisions relating to Hawaii financial institutions; assessments; fees; penalty. Provides that every Hawaii financial institution shall be assessed yearly fee by replacing the term times to multiplied by. Beginning July 1, 2021, requires nondepository trust companies to be assessed a yearly fee in accordance with specified conditions. Changes the term times to multiplied by total assets. Requires the assessments to be paid semiannually to include total assets under management reported as of the previous December 31 and June 30, respectively. Defines total assets under

HOUSE BILLS THAT PASSED THE LEGISLATURE

management to mean the total market value of the assets that a trust company oversees, administers, or manages on behalf of its clients pursuant to its fiduciary and trust powers, including such assets for which a trust company has engaged a 3rd party platform investment, property management services, or real estate services. -- Amends provisions relating to paid in capital and surplus. Adds nondepository trust companies. -- Amends provisions relating to definitions under code of financial institutions law. Defines nondepository trust company to mean a trust company that is not authorized to accept deposits. Provides that the division of financial institutions of the department of commerce and consumer affairs is authorized to expend 4,000 dollars of the funds collected to administer the nondepository trust company program established by this Act. Appropriation to the department of commerce out of the compliance resolution fund established, the sum of 4,000 dollars or so much thereof as may be necessary for fiscal year 2021 - 2022 and the same sum or so much thereof as may be necessary for fiscal year 2022 - 2023 for the division of financial institutions of the department of commerce and consumer affairs to administer nondepository trusts under this Act. (\$\$) -- HB0943 CD1

Committee Reports: HSCR 370 (CPC) HSCR 655 (FIN) SSCR 1019 (CPN) SSCR 1536 (WAM) CCR 9

Current Status: Apr-27 21 Passed Legislature

Section Affected: 412:8- (1 SECTION) NONDEPOSITORY TRUST COMPANIES, 412:2-105.2, 412:3-209, 412:8-101, 412:8-202

HB0954 HD1 SD2 CD1 (CCR 36)

RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY.

Introduced by: Saiki S (BR)

Amends provisions relating to civil service and exemptions. Exempts from civil service law, in the Hawaii emergency management agency, the executive officer, public information officer, civil defense administrative officer, branch chiefs, and emergency operations center state warning point personnel; provided that, for state warning point personnel, the department of human resources development director shall determine that recruitment through normal civil service recruitment procedures would result in delay or noncompliance. -- HB0954 CD1

Committee Reports: HSCR 473 (PDP/ LAT/) HSCR 837 (FIN) SSCR 1109 (PSM/ LCA/) SSCR 1637 (WAM/ JDC/) CCR 36

Current Status: Apr-27 21 Passed Legislature

Section Affected: 76-16

HB0961 HD1 SD2 (SSCR 1601)

RELATING TO MILITARY DEPENDENTS.

Introduced by: Saiki S (BR)

Amends provisions relating to citizenship and residence; exceptions. Exempts bona fide military service members' dependents from the requirement to become residents if the dependents are in the State by virtue of the military service members' orders. -- Amends provisions relating to licensure by endorsement or licensure by reciprocity; initial acceptance by affidavit; temporary license; military spouse. Requires that a person who is married to an active duty member of the armed forces of the US shall be approved for licensure if the person is accompanying the member on an official permanent change of station to a military installation located in this State; either holds a license in another jurisdiction of the US in a specified career; or the licensing authority for the disciplines has determined that the licensure requirements of the other jurisdiction are equivalent to or exceed those established by the licensing authority of this State. Provides that a person who is licensed pursuant to this provision shall be subject to the laws regulating the person's practice in this State and shall be subject to the jurisdiction of the licensing authority of this State. -- HB0961 SD2

Committee Reports: HSCR 746 (CPC) SSCR 1196 (CPN) SSCR 1601 (WAM)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 78-1, 436B-14.7

HB0975 HD1 SD1 (SSCR 1097)

RELATING TO REPORTS OF CHILD ABUSE.

Introduced by: Saiki S (BR)

Amends provisions relating to immunity from liability under child abuse law. Provides that anyone participating in good faith in the making of a report pursuant to this law shall have immunity from any liability, civil or criminal, that might be otherwise incurred or imposed by or as a result of the making of such report, including persons who otherwise provide information or assistance, including medical evaluations or consultation, in connection with a report, investigation, or legal intervention pursuant to a good faith report of child abuse or neglect. (COVID-19, COVID 19, coronavirus) -- HB0975 SD1

HOUSE BILLS THAT PASSED THE LEGISLATURE

Committee Reports: HSCR 609 (HHH) HSCR 734 (JHA) SSCR 1097 (HMS) SSCR 1577 (JDC)
Current Status: Apr-27 21 Passed Legislature
Section Affected: 350-3

HB0991 HD2 SD2 (SSCR 1585)

RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS.

Introduced by: Saiki S (BR)

Amends provisions relating to disclosure of records under the state public health statistics Act. Requires that persons or agencies to be considered to have direct and tangible interest in a public health statistics record to include trustee of the registrant's estate or trust; agency, or a beneficiary of a will or trust who needs to determine the death of a co owner of property; and a person or agency who needs vital statistics records for a public health purpose, as reviewed by the department of health's institutional review committee and approved by the director of health. Changes that allows the department to permit persons working on genealogy projects access to microfilm or other copies of vital records of events that occurred more than from 75 years to 115 years before the current year. Repeals provision that allows the department to direct its local agents to make a return upon filing of birth, death, and fetal death certificates with them, of certain data shown to federal, state, territorial, county, or municipal agencies; and payment by these agencies for these services to be made as the department shall direct. Provides that research purposes under this provision shall limited to those that have been reviewed by the department of health's institutional review committee and approved by the department's institutional review committee and the director of health. -- Repeals provisions relating to sharing of vital statistics records with the department of health program employees for approved research purposes. -- HB0991 SD2

Committee Reports: HSCR 612 (HHH) HSCR 899 (JHA) SSCR 1265 (HTH) SSCR 1585 (JDC)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 338-18, 338-18.5

HB1004 HD1 SD2 (SSCR 1636)

RELATING TO THE BOILER AND ELEVATOR SAFETY LAW.

Introduced by: Saiki S (BR)

Amends provisions relating to findings and purpose under boiler and elevator safety law. Changes the terms boilers, pressure systems to pressure retaining items. -- Amends provisions relating to definitions under the boiler and elevator safety law. Defines pressure retaining item to mean a boiler, pressure vessel, or pressure system. -- Amends provisions relating to powers and duties. Changes the terms boilers, pressure systems to pressure retaining items. Provides that the order may be rescinded when the department of labor and industrial relations has determined that the owner, user, or contractor has complied with the order to correct the condition, defect, or hazard identified in the order or has paid all fees or fines imposed by the department. -- Amends provisions relating to fees. Provides that by rules adopted pursuant to administrative procedure law, requires the director of labor and industrial relations to prescribe reasonable fees to be charged for inspection, examination, other services rendered and for permits, certificates, or licenses, the issuance of which are required by this law or by any rules of the department adopted pursuant to this law. Changes the terms boilers, pressure system to pressure retaining item. Provides that inspections by the department of any pressure retaining item, amusement ride, and elevator and kindred equipment for which a permit or certificate is required for its installation, repair, alteration, operation, or use, and which is required to be inspected by this law or by any rules of the department. Repeals schedule a boiler and pressure system fees. -- Amends provisions relating to safety inspection by qualified inspectors. Replaces the terms boilers and pressure systems to pressure retaining items. Adds that requires all safety inspections to include amusement rides and the premises appurtenant to be performed by qualified deputy elevator inspectors of the department. -- Amends provisions relating to judicial review. Replaces the terms boilers and pressure systems to pressure retaining items. -- HB1004 SD2

Committee Reports: HSCR 368 (CPC) HSCR 656 (FIN) SSCR 1259 (LCA) SSCR 1636 (WAM/ JDC/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 397-2, 397-3, 397-4, 397-5, 397-6, 397-10

HB1009 HD1 SD1 (SSCR 1610)

RELATING TO CERTAIN PENALTIES FOR VIOLATIONS OF SUBTITLE 4 OF TITLE 12, HAWAII REVISED STATUTES.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Saiki S (BR)

Amends provisions relating to general administrative penalties by changing it to general penalties. Allows the board of land and natural resources or its authorized representative to any rule adopted or permit issued a fine of an amount up to 10,000 dollars or 3 times the market value at the time and place of the violation, as determined by the board, for each tree or tree products, including koa, whichever is greater, per violation of provisions relating to timber trespass in forest reserves to be levied for each destroyed, damaged, or harvested tree, or portion thereof, larger than 6 inches in diameter at ground level along with any costs associated with restoration or replacement of habitat and damages to public land or natural resources, or any combination thereof. Requires that any person who violates any rule adopted by the department of land and natural resources under this law regulating vehicular parking or traffic movement to have committed a traffic infraction and be adjudicated set forth in adjudication of traffic infractions law. Establishes fines. Provides that the State shall be precluded from pursuing further civil legal action to recover administrative fines, fees, and costs, including attorney's fees and costs, or monetary assessments against that person fined. -- Amends provisions relating to criminal penalties. Unless otherwise specified, any person who violates a provision of this part or a rule adopted pursuant to this part shall be guilty of a petty misdemeanor. Exempts authorized employees of the department acting within the scope of employment to be subject to the penalty provided for in this provision. Provides that a person convicted of violating a provision of this part or a rule adopted pursuant to this part to be sentenced, without the possibility of suspension of sentence to a mandatory fine of not less than 100 dollars, or imprisonment of not more than 30 days, or both, for a 1st offense, or any offense not preceded within a 5 year period by a conviction for a prior offense; a mandatory fine of not less than 500 dollars, or by imprisonment of not more than 30 days, or both, for an offense that occurs within 5 years of a conviction for a prior offense; and a mandatory fine of 1,000 dollars, or imprisonment of not more than 30 days, or both, for an offense that occurs within 5 years of 2 or more convictions for prior offenses. -- Repeals provisions relating to general penalty. -- HB1009 SD1

Committee Reports: HSCR 392 (JHA) HSCR 799 (FIN) SSCR 1204 (WTL) SSCR 1610 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 183-5, 183-18, 183-4

HB1016 HD1 SD2 CD1 (CCR 40)

RELATING TO THE TAKING OF MARINE LIFE.

Introduced by: Saiki S (BR)

Amends provisions relating to commercial marine license by changing it to commercial marine license and commercial marine vessel license. Provides that a single valid commercial marine vessel license shall satisfy the commercial marine license requirement for all persons taking marine life for commercial purposes aboard a validly licensed vessel. Provides that if a Hawaii longline vessel satisfies the commercial marine license requirement by obtaining a single commercial marine vessel license, requires the commercial marine vessel licensee to file an annual report with the department of land and natural resources that contains the specified information. Provides that any vessel used for or engaged in the taking of marine life for commercial purposes shall be eligible to obtain a commercial marine vessel license. Allows the department to include fees for commercial marine vessel licenses. Report to the legislature. -- HB1016 CD1

Committee Reports: HSCR 84 (WAL) HSCR 373 (CPC) HSCR 717 (FIN) SSCR 1152 (WTL) SSCR 1649 (JDC/ WAM/)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 189-2

HB1017 HD1 SD1 (SSCR 1232)

RELATING TO CRUSTACEANS.

Introduced by: Saiki S (BR)

Repeals provisions relating to female ula (spiny lobsters), Kona crabs, and Samoan crabs; taking or killing prohibited. -- HB1017 SD1

Committee Reports: HSCR 336 (WAL) HSCR 859 (JHA) SSCR 1232 (WTL) SSCR 1571 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 188-58.5

HB1018 HD2 SD1 (SSCR 1643)

RELATING TO LAY NETS.

Introduced by: Saiki S (BR)

Amends provisions relating to lay nets rules. Allows the rules to include permits for the use and possession of lay nets, including reasonable permit fees and provisions for

HOUSE BILLS THAT PASSED THE LEGISLATURE

revocation, suspension, and withholding of permits for noncompliance with lay net rules. Requires prescriptions and limits on the kind and amount of bait that may be used in taking aquatic life, and the conditions for entry into areas for taking aquatic life. -- HB1018 SD1

Committee Reports: HSCR 85 (WAL) HSCR 575 (JHA) HSCR 949 (FIN) SSCR 1239 (WTL) SSCR 1643 (JDC/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 187A-5

HB1019 HD2 SD2 CD1 (CCR 111)

RELATING TO OCEAN STEWARDSHIP.

Introduced by: Saiki S (BR)

Establishes the ocean stewardship law. Establishes the ocean stewardship special fund to be administered by the department of land and natural resources. Requires the following to be deposited into the ocean stewardship special fund moneys collected as user fees pursuant to provisions relating to aquatic resources; revenues due to the State from leases of any lands, facilities, equipment, and other property owned by the department and used for or dedicated to the management, research, restoration, and enhancement of aquatic resources; moneys collected as fines, bail forfeitures, attorney's fees, and administrative costs for violations of subtitle 5 of title 12 or any rule adopted thereunder, except the following as specified; moneys collected for the purposes of compensatory mitigation from federal or state permitted impacts to the marine environment; grants, awards, donations, gifts, transfers, or moneys derived from private or public services for the purposes of provisions, except the following as specified; moneys derived from interest, dividend, or other income from the above sources. Requires the ocean stewardship special fund to be used to the following as specified. Requires the ocean stewardship special fund to be held separate and apart from all other moneys, funds, and accounts in the department; provided that any moneys received from the federal government, through federal programs, or from private contributions, shall be deposited and accounted for in accordance with conditions established by the agency or private entity from whom the moneys are received; provided further that 20 per cent of all gross revenues collected under specified provisions shall be payable to the office of Hawaiian affairs as ceded lands revenues. Requires any balance remaining in the fund at the end of any fiscal year to be carried forward in the fund for the next fiscal year. Prohibits the proceeds of the ocean stewardship special fund to be used as security for, or pledged to the payment of principal or interest on, any bonds or instruments of indebtedness. -- Amends provisions relating to ocean stewardship user fee. Requires that operators of commercial vessels, water craft, or water sports equipment that are required to have a commercial operator permit, Hawaii Administrative Rules, to collect an ocean stewardship user fee from each passenger carried or customer served. Requires ocean stewardship user fee to be 1 dollar per passenger or customer and shall be adjusted every 5 years to match changes in the Consumer Price Index in the Honolulu area as reported by the US Bureau of Labor Statistics; provided that the fee shall not be adjusted more than 10 per cent every 5 years. Prohibits fees collected pursuant to this provision to be counted toward gross revenues for purposes of permits and fees for state small boat harbors; permit transfers. Requires all fees collected pursuant to this provision to be transferred to the department on a monthly basis and shall be deposited into the ocean stewardship special fund; provided that any fees collected after January 1, 2029, shall be deposited into the general fund. Requires the department to adopt rules pursuant to administrative procedure law to implement this provision. -- Requires the ocean stewardship special fund to be repealed and abolished on January 1, 2029, and any remaining balance shall lapse to the general fund (sunset). -- HB1019 CD1

Committee Reports: HSCR 540 (WAL) HSCR 862 (FIN) SSCR 1233 (WTL) SSCR 1660 (WAM) CCR 111

Current Status: Apr-27 21 Passed Legislature

Section Affected: 187A- (2 SECTIONS) OCEAN STEWARDSHIP

HB1020 HD1 SD2 (SSCR 1611)

RELATING TO ADAPTIVE NATURAL RESOURCE MANAGEMENT.

Introduced by: Saiki S (BR)

Amends provisions relating to rules under wildlife law. Repeals requires the department of land and natural resources to adopt, amend, and repeal rules concerning size limits, bag limits, open and closed seasons, and specifications of hunting gear which may be used or possessed. Adds that allows rules in to vary from county to county to specify certain days of the week or certain hours of the day in designating open and closed hunting seasons. Provides that notwithstanding any law to the contrary, allows the board to adopt, amend, or repeal any rule pertaining to bag limits, size limits, open or closed

HOUSE BILLS THAT PASSED THE LEGISLATURE

hunting seasons, or gear restrictions by formal board action at a publicly noticed meeting, provided that the board finds that the timely adoption, amendment, or repeal of the rule is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions; requires notice of the rule making to be given at least once statewide at least 30 days in advance of the public meeting; include a statement of the topic of the proposed rule to be adopted, amended, or repealed or a general description of the subjects involved; include a statement that a copy of the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed will be mailed to any interested person who requests a copy and pays the required fees for the copy and the postage, if any, together with a description of where and how the requests may be made; include a statement of when, where, and during what times the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed may be reviewed; include the date, time, and place where the public meeting will be held and where interested persons may be heard on the proposed rule adoption, amendment, or repeal; and be mailed to all persons who have made a timely written request of the board for advance notice of its rule making proceedings. Requires the adoption, amendment, or repeal of the rule to be effective for an initial period of no longer than 2 years, subject to renewal by the board shall extend for up to 1 year at a time. Requires the department to post the final adopted, amended, or repealed rule on its website for the duration of time the rule is in effect. Provide that any person who violates any rule established by such action of the board shall be subject to administrative penalties. Amends provisions relating to rules under aquatic resources law. Provides that notwithstanding any law to the contrary, allows the board to adopt, amend, or repeal any rule pertaining to bag limits, size limits, open or closed fishing seasons, or gear restrictions by formal board action at a publicly noticed meeting, provided that the board finds that the timely adoption, amendment, or repeal of the rule is necessary to implement effective and adaptive management measures in response to rapidly changing resource conditions; requires notice of the rulemaking to be given at least once statewide at least 30 days in advance of the public meeting; include a statement of the topic of the proposed rule to be adopted, amended, or repealed or a general description of the subjects involved; include a statement that a copy of the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed will be mailed to any interested person who requests a copy and pays the required fees for the copy and the postage, if any, together with a description of where and how the requests may be made; include a statement of when, where, and during what times the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed may be reviewed; include the date, time, and place where the public meeting will be held and where interested persons may be heard on the proposed rule adoption, amendment, or repeal; and be mailed to all persons who have made a timely written request of the board for advance notice of its rule making proceedings; and requires the adoption, amendment, or repeal of the rule to be effective for an initial period of no longer than 2 years, subject to legislative approval and renewal by the board; provided that renewal by the board shall extend for up to 1 year at a time. Requires the department to post the final adopted, amended, or repealed rule on its website for the duration of time the rule is in effect. Requires that any such rule established by such action of the board pursuant to this provision to have the force and effect of law; and any person who violates any rule established by such action of the board to be subject to administrative penalties. Report to the legislature. -- HB1020 SD2

Committee Reports: HSCR 86 (WAL) HSCR 564 (JHA) HSCR 950 (FIN) SSCR 1240 (WTL) SSCR 1611 (JDC/ WAM/)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 183D-3, 187A-5

HB1021 HD1 SD2 (SSCR 1681)

RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT.

Introduced by: Saiki S (BR)

Amends provisions relating to interstate wildlife violator compact. Allows that the department of land and natural resources to enter into the interstate wildlife violator compact or similar agreement, whether in the form of a memorandum of understanding, written agreement, or mutual aid compact, with an appropriate state, federal, or foreign entity for mutual assistance in the enforcement of hunting, fishing, and other wildlife laws, rules, or regulations in their respective jurisdictions. Allows the department to adopt rules pursuant to administrative procedure law, necessary to implement this section. -- HB1021 SD2

Committee Reports: HSCR 541 (WAL) HSCR 857 (JHA) SSCR 1241 (WTL) SSCR 1681 (JDC)

HOUSE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-23 21 Received by the Governor
Section Affected: 183D- (1 SECTION) INTERSTATE WILDLIFE VIOLATOR COMPACT

HB1022 HD1 SD2 CD1 (CCR 80)

RELATING TO THE TAKING OF NATURAL RESOURCES.

Introduced by: Saiki S (BR)

Establishes provisions relating to exhibit upon demand; inspection under conservation and resources enforcement program law. Authorizes any conservation and resources enforcement officer of the department of land and natural resources upon whom the board of land and natural resources has conferred police powers to, in the performance of the officer's official duties, stop and temporarily detain any person whom the officer or agent reasonably believes is, or recently has been, engaged in fishing or hunting. Provides that during this brief detention, the officer upon lawful demand, may inspect any license, permit, stamp, tag, or other documentation required, to determine whether the person is in compliance with any provision of title 12 and any rules adopted regulating hunting or aquatic life and conservation of wildlife or aquatic resource. Provides that any inspection shall be conducted within a reasonable distance from the environment in which the hunting or fishing took place and shall not include vehicular inspections beyond a reasonable distance unless upon probable cause or failure to heed a demand to stop when requested to submit to an administrative inspection for title 12 resources or equipment used for the capture or take of wildlife or aquatic resources as used in hunting or fishing. Further provides that inspections shall be conducted by any person authorized by the department of land and natural resources to enforce title 12 and any rule adopted thereunder. Establishes administrative fines. -- HB1022 CD1

Committee Reports: HSCR 422 (EEP) HSCR 742 (JHA) SSCR 1242 (WTL) SSCR 1706 (WAM/ JDC/) CCR 80

Current Status: Apr-27 21 Passed Legislature

Section Affected: 199- (1 SECTION) INSPECTION

HB1023 HD1 SD2 CD1 (CCR 10)

RELATING TO A NONRESIDENT RECREATIONAL MARINE FISHING LICENSE.

Introduced by: Saiki S (BR)

Establishes provisions relating to nonresident recreational marine fishing license; application; fees; restrictions. Provides that it shall be unlawful for any nonresident of the State of Hawaii to fish for, take, or catch any marine life for noncommercial or recreational purposes without 1st obtaining a nonresident recreational marine fishing license, except children below 15 years of age and members of the armed forces of the US on active duty in the State and their spouse and minor children. Requires the department of land and natural resources to adopt rules necessary for the purposes of this provision. Allows nonresident recreational marine fishing licenses to be issued by agents of the department upon written application in such form as to be prescribed by the department together with payment of a fee. Establishes fees. Allows fees established by this provision to be increased by the department not more frequently than once every 5 years, at the rate of the consumer price index change from July 2021, compounded annually, rounded to the nearest dollar. Provides that it shall be illegal to sell or offer for sale any marine life taken under a nonresident recreational marine fishing license, provided that marine life taken by nonresident licensees on board of natural resources a charter fishing vessel owned or operated by a person with a valid commercial marine license. Requires any person violating this provision or any rule adopted to be subject to administrative penalties. -- HB1023 CD1

Committee Reports: HSCR 88 (WAL) HSCR 578 (JHA) HSCR 951 (FIN) SSCR 1243 (WTL) SSCR 1602 (WAM) CCR 10

Current Status: Apr-28 21 Received by the Governor

Section Affected: 188- (1 SECTION) NONRESIDENT RECREATIONAL MARINE FISHING LICENSE

HB1028 SD1 (SSCR 1582)

RELATING TO THE KOKE'E STATE PARK ADVISORY COUNCIL.

Introduced by: Saiki S (BR)

Repeals provisions relating to the Kokee state park advisory council. (COVID-19, COVID 19, coronavirus). -- HB1028 SD1

Committee Reports: HSCR 543 (WAL) HSCR 738 (JHA) SSCR 1244 (WTL) SSCR 1582 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 171-8.5

HB1029 SD1 (SSCR 1542)

RELATING TO LIVING PARK PLANNING COUNCILS.

HOUSE BILLS THAT PASSED THE LEGISLATURE

Introduced by: Saiki S (BR)

Amends Act 15, special session laws of 2009, relating to public lands. Requires the development of a master plan for a state living park to rest with the department of land and natural resources, rather than the living park planning council. Requires the master plan to be reviewed and updated as needed. Provides that in developing the master plan, the department of land and natural resources, among other things, shall propose agreements that will establish the full authority of the department of land and natural resources to implement the master plan, including whether the department of land and natural resources can hire a land manager, establish a nonprofit organization, or enter into contracts. Repeals provision requiring the living park planning council to submit a proposed master plan to the board of land and natural resources no later than 1 year following the 1st meeting of the planning council. Requires the department of land and natural resources to develop a living park master plan, which shall become effective upon its adoption by the board of land and natural resources. (Kahana community). Repeals provision establishing a living park planning council for each state living park to be placed within the department of land and natural resources for administrative purposes. (COVID-19, COVID 19, coronavirus) -- HB1029 SD1

Committee Reports: HSCR 545 (WAL) HSCR 822 (JHA) SSCR 1245 (WTL) SSCR 1542 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: ACT 15 2009 1SP

HB1030 HD2 SD1 (SSCR 1246)

RELATING TO THE AQUATIC LIFE AND WILDLIFE ADVISORY COMMITTEES.

Introduced by: Saiki S (BR)

Amends provisions relating to definition under the general provisions relating to aquatic resources and wildlife law. Repeals committee definition. -- Amends provisions relating to animal species advisory commission. Changes the commission composition from 13 members to 9 members. Repeals the chairperson of each aquatic life and wildlife advisory committee. Requires 3 members of the department designated by the chairperson of the board, and no less than 1 each from the professional fields of aquatic life, wildlife, and conservation and resources enforcement, to serve as members of the commission. -- Repeals provisions relating to aquatic life and wildlife advisory committees. -- HB1030 SD1

Committee Reports: HSCR 544 (WAL) HSCR 858 (JHA) SSCR 1246 (WTL) SSCR 1573 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 197-1, 197-2, 197-4

HB1031

RELATING TO THE HAWAII HISTORIC PLACES REVIEW BOARD.

Introduced by: Saiki S (BR)

Amends provisions relating to the Hawaii historic places review board; creation; powers; appointments; composition. Requires the board to consist of 7 members to be appointed and removed by the governor. -- HB1031

Committee Reports: HSCR 542 (WAL) HSCR 739 (JHA) SSCR 1247 (WTL) SSCR 1574 (JDC)

Current Status: Apr-13 21 Received by the Governor

Section Affected: 6E-5.5

HB1032 HD1 (HSCR 748)

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

Introduced by: Saiki S (BR)

Amends provisions relating to schedule I under narcotics law. Adds opiates to include Ocfentanil [N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide]; Cyclopropyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide; Methoxyacetyl fentanyl (2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide); Ortho-fluorofentanyl (N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl); and Para-fluorobutyryl fentanyl (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide). Adds depressants to include Etizolam (including its optical, positional, and geometric isomers, salts, and salts of isomers, where possible); or Flualprazolam (including its optical, positional, and geometric isomers, salts, and salts of isomers, where possible). Adds cannabinoids to include Methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate, and geometric isomers, salts, and salts of isomers (Other names: FUB-AMB, Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate, MMB-FUBINACA, AMB-FUBINACA). -- Amends provisions relating to schedule II. Adds immediate precursor to include N-phenyl-N-(piperidin-4-yl)propionamide (norfentanyl). -- Amends

HOUSE BILLS THAT PASSED THE LEGISLATURE

provisions relating to Schedule IV. Adds depressants to include Brexanolone. Adds stimulants to include Solriamfetol. -- Amends provisions relating to schedule V. Repeals approved cannabidiol drug. -- HB1032 HD1

Committee Reports: HSCR 748 (JHA) SSCR 1267 (HTH) SSCR 1578 (JDC)

Current Status: Apr-13 21 Received by the Governor

Section Affected: 329-14, 329-16, 329-20, 329-22

HB1036 HD1 SD2 (SSCR 1584)

A BILL FOR AN ACT RELATING TO PUBLIC SAFETY.

Introduced by: Saiki S (BR)

Establishes provisions relating to service of process; list under public safety law. Requires the director of public safety to maintain a list of independent civil process servers to process orders to show cause pursuant to circuit courts law, district courts law and small claims, district court law; garnishment pursuant to garnishments law; writs of replevin and attachment pursuant to civil actions and proceedings, generally law; writs of possession pursuant to land court registration law and landlord and tenant law; orders for examination pursuant to judgement law; and writs of attachment or execution pursuant to attachment and execution law. Allows any independent civil process server to submit the server's name to the director to be placed on the list; prohibits that a person to be placed on the list if the person under specified conditions or requirements. Exempts the department of public safety, the State, and the agencies, officers, and employees of the department or the State to be responsible or liable for the actions of any independent civil process servers on the list. Prohibits placement of a person's name on the list shall not make the person a law enforcement officer, sheriff or deputy sheriff, or an employee or agent of the State. Amends provisions relating to writ of possession, service, time limit for registration under the land court registration law. Adds sheriff, deputy sheriff, police officer, or independent civil process server from the department of public safety's list. -- Amends provisions relating to order to show cause under the circuit court law; and under the district court law. Repeals person authorized by the rules of court order to show cause. Adds police officer, or independent civil process server from the department of public safety's list to order show cause. Amends provisions relating to district court costs under cost and fees law. Adds fee for independent civil process server from the department of public safety's list. -- Amends provisions relating to fees of sheriff, serving or levying officer, or other person authorized by the rules of court in circuit court, intermediate appellate court, or supreme court by changing it to fees of sheriff, deputy sheriff, police officer, serving or levying officer, or independent civil process server. Repeals other persons authorized by the rules of court where service of process is to be made upon an island other than that upon which is situated the court ordering the process. Provides that as far as practicable, requires in order to minimize the mileage fees for the service, the sheriff or chief of police of the serving police officers, or independent civil process server from the department of public safety's list to cause the process to be transmitted to the sheriff, deputy sheriff, the chief of police, a police officer, or an independent civil process server upon the island of service to make the service upon receipt of the process; and the service to be valid, notwithstanding that the process may not be addressed to the individual actually making the service or to the individual's superior. Amends provisions relating to order to show cause under small claims, district courts. Repeal other person authorized by the rules of court order to show cause. Adds police officer, or independent civil process server from the department of public safety's list order to show cause. Amends provisions relating to interpleader; application for order by sheriff or other person authorized by the rules of court by changing it to interpleader; application for order by sheriff, deputy sheriff, police officer, or independent civil process server under civil actions and proceedings, generally law. Add police officers, or independent civil process servers from the department of public safety's list. -- Amends provisions relating to sale of property seized on execution, when. Add police officers, or independent civil process servers from the department of public safety's list. -- Amends provisions relating to return. Adds independent civil process servers from the department of public safety's list. -- Amends provisions relating to in case of attachment, etc., of real property. Provides that in all cases of attachment, sequestration, or injunction of real property, adds the sheriff, deputy sheriff, police officer, or independent civil process server from the department of public safety's list. Amends provisions relating to general provisions under attachment and execution law. Requires the department of public safety, the State, and the agencies, officers, and employees of the department of public safety or the State shall not be responsible or liable for the actions of any independent civil process server on the list maintained by the department of public safety. Redefines police officer to mean the director of public safety or the director's duly authorized representative, any chief of

HOUSE BILLS THAT PASSED THE LEGISLATURE

police or subordinate police officer, or an independent civil process server on the list maintained by the department of public safety. Adds documents that a summons directed to the sheriff, deputy sheriff, a police officer, or an independent civil process server from the department of public safety's list commanding the sheriff, deputy sheriff, police officer, or independent civil process server to serve upon the debtor at least 4 days before the date of the hearing, the application; a true and attested copy of the petition, summons, and direction; the affidavit; and the order and notice of hearing. -- Amends provisions relating to garnishee, rights, duties; collection by levying officer by changing it to garnishee, rights, duties; collection by sheriff, deputy sheriff, police officer, or independent civil process server. Provides that the garnishee shall, when summoned before judgment rendered against the garnishee's principal, if the garnishee desires, be admitted to defend the garnishee's principal in the action. Adds sheriff, deputy sheriff, police officer, or independent civil process server from the department of public safety's list. -- Amends provisions relating to service on garnishee; provisions relating to effect of service ; under garnishment law. Adds the sheriff, deputy sheriff, police officer, or independent civil process server from the department of public safety's list. -- Amends provisions relating to bond under special proceedings for immediate possession of personal property law; provisions relating to judgement; writ of possession under landlord tenant law; and provisions relating to rent trust fund. Adds - an independent civil process server from the department of public safety's list. -- HB1036 SD2

Committee Reports: HSCR 757 (JHA) SSCR 1062 (PSM) SSCR 1584 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 353C- (1 SECTION), 501-154, 603-29, 604-6.2, 607-4, 607-8, 633-8, 634-11, 634-12, 634-22, 634-29, 651-1, 652-1.5, 652-2, 652-2.5, 652-2.6, 654-2, 666-11, 666-21

HB1041 HD1 SD1 (SSCR 1563)

RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE.

Introduced by: Saiki S (BR)

Amends provisions relating to conformance to the federal Internal Revenue Code; general application. Conforms Hawaii income and estate and generation skipping transfer tax laws to the Internal Revenue Code of 1986, as amended as of December 31, 2020. -- HB1041 SD1

Committee Reports: HSCR 280 (ECD) HSCR 645 (FIN) SSCR 1563 (WAM)

Current Status: Apr-27 21 Passed Legislature

Section Affected: 235-2.3, 236E-3

HB1043 HD3 SD2 CD1 (CCR 33)

RELATING TO TRANSIENT ACCOMMODATIONS TAX.

Introduced by: Saiki S (BR)

Amends provisions relating to transient accommodations tax law. Amends provisions relating to certificate of registration. Replaces certain references to operator or plan manager with person or taxpayer. Repeals misdemeanor for failing to register under transient accommodations tax law. Provides that any person who is required by this provision to register, as a condition precedent to engaging or continuing in the business of furnishing transient accommodations or in business as a resort time share vacation plan subject to taxation under this law, and who engages or continues in the business without registering in conformity with this provision shall be subject to the citation process and monetary fines. -- Amends provisions relating to certificate of registration for transient accommodations broker, travel agency, and tour packager. Requires any person who enters into an agreement to furnish transient accommodations without registering in conformity with this provision to be subject to the citation process and monetary fines. -- Amends provisions relating to return and payments; penalties. Provides that on or before the 20th day of each calendar month, every person liable under this law during the preceding calendar month shall file a sworn return with the director in a form prescribed by the director together with a remittance for the amount of the tax. -- Repeals provisions relating to filing of returns. -- HB1043 CD1

Committee Reports: HSCR 34 (LAT) HSCR 525 (ECD) HSCR 870 (FIN) SSCR 1193 (JDC) SSCR 1632 (WAM) CCR 33

Current Status: Apr-27 21 Passed Legislature

Section Affected: 237D-1, 237D-2, 237D-4, 237D-4.5, 237D-6, 237D-6.5, 237D-7, 237D-9, 237D-10, 237D-12, 237D-16, 237D-8

HB1062 HD2 SD2 (SSCR 1591)

RELATING TO COMMERCIAL DRIVER'S LICENSES.

Introduced by: Saiki S (BR)

Amends provisions relating to commercial driver's license qualification standards. Prohibits the commercial learner's permit to be valid for a period in excess of 180 days

HOUSE BILLS THAT PASSED THE LEGISLATURE

from the date that the applicant passes the general and all required endorsement knowledge tests; provided that, if the applicant is not required to take a knowledge test, the period shall start when the permit is issued. Requires every applicant to successfully complete the commercial driver's license general knowledge test before being issued a commercial learner's permit. Requires a driver holding a valid commercial driver's license who seeks an upgrade for which a skills test is required shall also pass the appropriate knowledge test before obtaining a commercial learner's permit. Requires that beginning February 7, 2022, except for a driver holding a valid commercial learner's permit or commercial driver's license that was obtained before February 7, 2022, every applicant to complete the entry level driver training requirements as specified in title 49 Code of Federal Regulations part 380, subpart F, and be verified with the Federal Motor Carrier Safety Administration Training Provider Registry before taking the skills test for a class A or class B commercial driver's license, passenger endorsement, or school bus endorsement, and before taking the knowledge test for a hazardous materials endorsement. -- HB1062 SD2

Committee Reports: HSCR 295 (CPC) HSCR 883 (JHA) SSCR 1066 (TRS) SSCR 1591 (CPN/ WAM/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 286-236

HB1081 HD1 SD2 CD1 (CCR 125)

RELATING TO SIDEWALKS.

Introduced by: Ganaden S, Kapela J, LoPresti M, Mizuno J, Morikawa D, Ohno T, Perruso A, Wildberger T

Establishes provisions relating to sidewalk project priority lists. Requires the department of transportation to maintain a priority list of sidewalk installation and pedestrian improvement projects; including potential alternatives to sidewalks that may be better suited for individual communities; and updated no less than once per year. Requires each county's transportation department to create and maintain a priority list of county sidewalk installation and pedestrian improvement projects, including potential alternatives to sidewalks that may be better suited for individual communities; and updated no less than once per year. Establishes the departments and county transportation departments priority list specified requirements. Requires each priority list required to be published on the respective websites of the department of transportation and county transportation departments. -- HB1081 CD1

Committee Reports: HSCR 477 (TRN) HSCR 810 (FIN) SSCR 1094 (TRS) SSCR 1691 (WAM/ JDC/) CCR 125

Current Status: Apr-27 21 Passed Legislature

Section Affected: 264- (1 SECTION) SIDEWALK PROJECT PRIORITY LISTS

HB1086 HD1 SD1 (SSCR 1034)

RELATING TO VETERINARIANS.

Introduced by: Nakashima M, Belatti D, Matayoshi S, Morikawa D, Takayama G

Establishes provisions relating to exception to liability; emergency care; veterinarian client patient relationship. Provides that any veterinarian duly licensed under this law who, in good faith, and without remuneration or expectation of remuneration, renders emergency care to a sick or injured animal at large shall not be liable to the owner of that animal for any civil damages resulting from the veterinarian's acts or omissions, except for damages as may result from the veterinarian's gross negligence or wanton acts or omissions. Allows a veterinarian duly licensed under this law to, in good faith, render necessary and prompt care and treatment to an animal patient without establishing a veterinarian client patient relationship if conditions do not allow the establishment of the relationship in a timely manner. Provides that a veterinarian who renders emergency and prompt care and treatment shall not be liable to the owner of the animal for any civil damages resulting from the veterinarian's acts or omissions, except for damages as may result from the veterinarian's gross negligence or wanton acts or omissions. Requires a veterinarian acting under this provision to make an appropriate record including the basis for proceeding. Establishes provisions relating to reporting; duty; dogfighting; animal cruelty; immunity from civil liability. Provides that whenever any veterinarian duly licensed under this law has reasonable cause to believe that an animal has been injured or killed through participation in a staged animal fight, it shall be the duty of the veterinarian to promptly report the event to the appropriate law enforcement authorities of the county where the event occurred. Provides that whenever any veterinarian duly licensed under this law has reasonable cause to believe an animal under the veterinarian's care has been a victim of animal cruelty, it shall be the duty of the veterinarian to promptly report the event to the appropriate law enforcement authorities of the county where the event occurred. Prohibits a veterinarian duly licensed under this

HOUSE BILLS THAT PASSED THE LEGISLATURE

law to incur any civil liability as a result of making any report pursuant to this provision or as a result of making any report of a violation provisions relating to cruelty to animals in the 1st or 2nd degree or cruelty to animals by fighting dogs in the 1st or 2nd degree. -- HB1086 SD1

Committee Reports: HSCR 300 (CPC) HSCR 825 (JHA) SSCR 1034 (CPN) SSCR 1570 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 471- (2 SECTIONS) EXCEPTION TO LIABILITY

HB1096 HD2 SD1 (SSCR 1163)

RELATING TO PARENTAGE.

Introduced by: Sayama J, Ichiyama L, Kapela J, Marten L, Mizuno J, Perruso A, Tam A, Wildberger T

Requires the department of health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. Report to the legislature. Requires the task force shall be dissolved on June 30, 2022 (sunset). -- HB1096 SD1

Committee Reports:

HSCR 579 (JHA) HSCR 896 (FIN) SSCR 1163 (HTH) SSCR 1579 (JDC)

Current Status: Apr-23 21 Received by the Governor

HB1102 HD1 SD2 (SSCR 1634)

RELATING TO LITTER CONTROL.

Introduced by: Saiki S

Establishes provisions relating to intentional release of balloons; prohibition. Prohibits a person or entity to intentionally release, organize the release of, or otherwise cause the release of a balloon inflated with a gas that is lighter than air, except for a balloon released for scientific or meteorological purposes, on behalf of a governmental agency or pursuant to a governmental contract; a hot air balloon that is recovered after launching; or a balloon that is released and remains indoors. Establishes civil penalties. -- HB1102 SD2

Committee Reports:

HSCR 420 (EEP) HSCR 828 (JHA) SSCR 987 (AEN) SSCR 1634 (WAM/ JDC/)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 339- (1 SECTION) INTENTIONAL RELEASE OF BALLOONS

HB1107 HD1 SD1 (SSCR 1213)

RELATING TO COMPUTER CRIME.

Introduced by: Yamane R

Amends provisions relating to use of a computer in the commission of a separate crime. Provides that a person commits the offense of use of a computer in the commission of a separate crime if the person knowingly uses a computer to identify, select, solicit, persuade, coerce, entice, induce, procure, pursue, surveil, contact, harass, annoy, or alarm the victim or intended victim of the following offenses adding relating to aggravated harassment by stalking. -- Amends provisions relating to forfeiture of property used in computer crimes. Requires any property used to be forfeited provided that the court shall have the discretion to require forfeiture of the property pursuant to this provision if the perpetrator of the offense was a person under the age of 18, regardless of whether the person owned the property. -- HB1107 SD1

Committee Reports: HSCR 754 (JHA) SSCR 1213 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 708-893, 708-894

HB1115

RELATING TO THE STATE FUNDS.

Introduced by: Luke S

Amends provisions relating to litigation deposits trust fund. Requires any residual funds remaining in an account to be transferred to the respective non general fund with which the civil action is associated or, if no specific non general fund applies, transferred to the emergency and budget reserve fund, no later than 30 days after the civil action for which the account is maintained is closed and all costs of that civil action have been paid, unless otherwise provided for by statute. -- Amends provisions relating to emergency and budget reserve fund. Requires any moneys received through a civil action in which the State is a party and no other law or court order specifically provides for the deposit elsewhere of moneys received through the action to be deposited into the emergency and budget reserve fund. (COVID-19, COVID 19, coronavirus) -- HB1115

Committee Reports: HSCR 770 (FIN) SSCR 1530 (WAM)

Current Status: Apr-07 21 Received by the Governor

HOUSE BILLS THAT PASSED THE LEGISLATURE

Section Affected: Apr-22 21 Approved by Governor (Act 9 2021)
28-16, 328L-3

HB1142 HD2 SD2 CD1 (CCR 177)

RELATING TO ENERGY.

Introduced by: Lowen N, Aquino H, Johanson A, Marten L, Perruso A
Amends provisions relating to the environmental response, energy, and food security tax; uses. Provides that of the tax collected pursuant to this provision; 4 cents of the tax on each barrel shall be deposited into the energy security special fund; 8 cents of the tax on each barrel shall be deposited into the energy systems development special fund; and 3 cents of the tax on each barrel shall be deposited into the electric vehicle charging system subaccount. -- Amends provisions relating to public utilities commission special fund. Requires all moneys in excess of 1,000,000 dollars remaining on balance in the public utilities commission special fund on June 30 of each year to lapse to the credit of the state general fund; provided that this ceiling shall not apply to the subaccount established in this provision. Establishes within the public utilities commission special fund an electric vehicle charging system subaccount. Requires the public utilities commission to expend moneys in the subaccount for the purposes of funding the electric vehicle charging system rebate program. Prohibits the funds in this subaccount to be subject to the special fund ceiling in this provision. -- Appropriation into and out of the electric vehicle charging system subaccount within the public utilities commission special fund for the electric vehicle charging system rebate program. -- Amends provisions relating to miscellaneous by changing the title to parking for electric vehicles. Establishes provisions relating to ordinances to enforce authorized. Allows each county to adopt ordinances to enforce the requirements of provisions relating to designation of parking spaces for electric vehicles; charging system, including the establishment of penalties for failure to comply with the requirements of that section or maintain electric vehicle charging systems in working order. -- Amends provisions relating to designation of parking spaces for electric vehicles; charging system by changing the title to designation of parking spaces for electric vehicle charging systems. Provides that effective January 1, 2022, each new electric vehicle charging system installed or placed in service pursuant to this provision shall be at least a level 2 charging station that is network capable. -- Amends provisions relating to parking spaces reserved for electric vehicles; penalties by changing the title to parking spaces reserved for electric vehicles and electric vehicle charging systems; penalties. Requires any person who parks a non electric vehicle in a space designated and marked as reserved for electric vehicles or parks any vehicle in a parking space equipped with an electric vehicle charging system while not actively charging to be guilty of a traffic infraction and shall be fined not less than 50 dollars nor more than 100 dollars, and shall pay any costs incurred by the court related to assessing the fine. Allows a law enforcement officer to access the property of a private entity to enforce the provisions of this provision; and a commissioned volunteer enforcement officer may access the property of a private entity to enforce the provisions of this provision; provided that the private entity's parking lot contains a parking space required by provisions relating to designation of parking spaces for electric vehicles; charging system. (\$\$) -- HB1142 CD1

Committee Reports: HSCR 192 (EEP) HSCR 623 (CPC) HSCR 730 (FIN) SSCR 1095 (TRS/ EET/) SSCR 1603 (WAM) CCR 177

Current Status: Apr-27 21 Passed Legislature

Section Affected: 243-3.5, 269-33, 291- (1 SECTION), 291-71, 291-72

HB1149 HD1 SD2 CD1 (CCR 115)

RELATING TO LAND USE.

Introduced by: Tarnas D, DeCoite L, Gates C, Hashimoto T, Ichiyama L, Ilagan G, Lowen N, Matayoshi S, McKelvey A, Morikawa D, Nakashima M, Todd C, Yamane R
Amends provisions relating to department of business, economic development, and tourism; general objective, functions, and duties of department; establishment of the commission; periodic review of districts by changing its title to review of districts; purpose; and office of planning, establishment; responsibilities by changing its title to office of planning and sustainable development; establishment; responsibilities. Reorganizes and integrates the land use commission within a modified office of planning, which is renamed as the office of planning and sustainable development. -- HB1149 CD1

Committee Reports: HSCR 332 (WAL) HSCR 790 (FIN) SSCR 1251 (WTL/ GVO/) SSCR 1662 (WAM) CCR 115

Current Status: Apr-27 21 Passed Legislature

Section Affected: 26-18, 201-2, 205-1, 205-18, 225M-1, 225M-2, 4E-1, 6K-6, 195-6, 200D-2, 201-102, 205-4, 205-6, 205-47, 205-48, 205-49, 205-50, 205A-1, 214-4, 223-2, 223-3, 225M-3, 225M-4, 225M-8, 225P-3,

HOUSE BILLS THAT PASSED THE LEGISLATURE

225P-4, 225P-6, 226-2, 226-53, 226-56, 226-59, 226-64, 226-65,
279A-4

HB1176 HD1 SD2 CD1 (CCR 117)

RELATING TO A JOB CORPS PROGRAM.

Introduced by: Quinlan S, Ilagan G, Kapela J, Lowen N, Tarnas D

Establishes provisions relating to administration under Hawaii youth conservation corps law. Allows the administration to carry out the program authorized by this provision, the governor to designate the department of land and natural resources to administer or enter into an agreement or agreements for the administration of a green job youth corps program that provides temporary work and training opportunities in 1 or more of the following fields: natural resource management, agriculture, conservation, renewable energy, or other sustainability professions. Requires the program to prioritize work and training opportunities for young adults who are between 20 years of age and 40 years of age and economic diversification; provided that the department of land and natural resources shall partner with organizations that have experience providing similar programming in the state. Reports to the legislature. Appropriation (\$\$) (COVID-19, COVID 19, coronavirus) -- HB1176 CD1

Committee Reports: HSCR 442 (ECD) HSCR 939 (FIN) SSCR 1260 (LCA) SSCR 1663 (WAM) CCR 117

Current Status: Apr-27 21 Passed Legislature

Section Affected: 193-32

HB1191 HD2 SD2 CD1 (CCR 118)

RELATING TO BROADBAND SERVICE INFRASTRUCTURE.

Introduced by: Johanson A, Aquino H, Belatti D, Branco P, Cullen T, DeCoite L, Eli S, Ichiyama L, Ilagan G, Kapela J, Kitagawa L, LoPresti M, Lowen N, Marten L, Matayoshi S, Matsumoto L, Mizuno J, Morikawa D, Nakashima M, Nishimoto S, Onishi R, Perruso A, Quinlan S, Sayama J, Tam A, Tarnas D

Establishes the broadband infrastructure grant program law. Establishes the program in the department of business, economic development, and tourism. Requires the department to receive and review grant applications and may award grants for eligible projects pursuant to the program. Requires area to be served by the project to include either unserved areas or underserved areas. -- Establishes provisions relating to review of applications; confidential treatment; approval. Allows applicants to designate material, including commercially sensitive information, as confidential or a challenger to request confidential treatment. -- Amends provisions relating to the Hawaii technology loan revolving broadband infrastructure fund by changing the title to the Hawaii broadband infrastructure special fund. Requires to be deposited into the Hawaii broadband infrastructure special fund; appropriations from the legislature; funds received from the federal government; and funds received from the private sector; provided that the total amount of moneys in the fund shall not exceed 10,000,000 dollars at the end of any fiscal year. -- Provides that within 12 months following the effective date of this Act, the department of business, economic development, and tourism shall adopt rules to implement the broadband infrastructure grant program; provided that any rules adopted pursuant to this provision shall include rules regarding the submission, review, and approval of applications; administration of the projects funded; and grant agreements memorializing the award of funds. Appropriation out of the funds received by the State of Hawaii from the American Rescue Plan Act of 2021, Public Law 117-2 (Section 9901), to the department of business, economic development, and tourism to be used for the broadband infrastructure grant program. -- Establishes provisions relating to the Hawaii broadband and digital equity office; establishment; strategic broadband coordinator; staff. Establishes the Hawaii broadband and digital equity office within the department of business, economic development, and tourism. Requires the governor, upon the advice and consent of the senate, to appoint a strategic broadband coordinator, who shall be exempt from civil service law, to head the office. (\$\$) (COVID-19, COVID 19, coronavirus) -- HB1191 CD1

Committee Reports: HSCR 32 (ECD) HSCR 376 (CPC) HSCR 722 (FIN) SSCR 1131 (EET) SSCR 1707 (WAM) CCR 118

Current Status: Apr-27 21 Passed Legislature

Section Affected: (8 SECTIONS) BROADBAND INFRASTRUCTURE GRANT PROGRAM, 206M-15.6, (4 SECTIONS) HAWAII BROADBAND AND DIGITAL EQUITY OFFICE

HB1192 HD1 SD2 CD1 (CCR 39)

RELATING TO CONSUMER PROTECTION.

Introduced by: Johanson A

Establishes the installment loans law. Establishes provisions relating to installment

HOUSE BILLS THAT PASSED THE LEGISLATURE

loans; requirements; payments. Requires each installment loan transaction and renewal to meet specified requirements. Provides that in an installment loan, a lender may contract for a once every 2 weeks, twice monthly, or monthly payment of the loan balance due, including the applicable portion of the interest, and earned monthly maintenance fee. Provides that for each payment made by a consumer, a lender shall give the consumer a written receipt with the lender's name and address, payment date, amount paid, consumer's name, and sufficient information to identify the account to which the payment is applied. Provides that upon prepayment in full by the consumer, the lender shall refund any unearned and unaccrued portion of the interest charged; and any unearned monthly maintenance fees. Provides that upon request from a consumer or a consumer's agent, an installment lender shall provide confirmation of the amount required to discharge the installment loan obligation in full. Provides that when responding to a request under this provision, the installment lender, at a minimum, shall include a statement of the amount required to discharge the consumer's obligation fully as of the date the notice is provided and for each of the next 3 business days following that date. Requires the installment lender to make the information required under this provision available verbally and in writing and shall provide it in an expeditious manner but no later than 5 business days after receiving the request. -- Establishes provisions relating to written agreement; requirements; disclosure; authorized interest rate; maximum loan amount; prohibition against multiple loans; right of rescission; notice to consumers; general requirements; right to prepay; loan limits; right to rescind; renewal; new loan requirements; consecutive loans; payment plan; form of loan proceeds; endorsement of instrument; redemption of instrument; delinquent installment loans; restrictions on collection by lender or 3rd party; authorized insufficient funds charge; posting of license and loan charges; internet lending; notice on assignment or sale of contract; maintenance of books and records; license required; exemptions; relation to other laws; license; application; issuance; license; grounds for denial; fees; bond; license renewal; annual report; enforcement; violations; penalties; voluntary surrender of license; sale or transfer of license; change of control; authorized places of business; principal office; branch offices; relocation; closure; payment of fees; commissioner; general powers; commissioner; investigation and examination authority; confidentiality; and prohibited practices. -- Amends provisions relating to rate by written contract. Exempts the rate limitations contained in this provision and provisions relating to credit cards to apply to any installment loan transactions authorized by, and entered into in accordance with, chapter _____. -- Amends provisions relating to usury not recoverable. Exempts this provision to be held to apply to any installment loan regulated under chapter _____. -- Repeals provisions relating to deferred deposits; when allowed. -- HB1192 CD1
Committee Reports: HSCR 631 (CPC) HSCR 657 (FIN) SSCR 1135 (CPN) SSCR 1692 (WAM/ JDC/) CCR 39
Current Status: Apr-27 21 Passed Legislature
Section Affected: (30 SECTIONS) INSTALLMENT LOANS, 478-4, 478-5, 478-6, 846-2.7, 480F-1, 480F-3, 480F-6, 480F-4

HB1237 HD1 SD2 (SSCR 1586)

RELATING TO THE JUDICIARY.

Introduced by: Mizuno J

Amends provisions relating to period of order; hearing under the judiciary. Requires a temporary restraining order granted pursuant to this law to remain in effect at the discretion of the court, for a period not to exceed 180 days from the date the order is granted or until the effective date of a protective order issued by the court, whichever occurs 1st, including, in the case where a temporary restraining order restrains any party from contacting, threatening, or physically abusing a minor, for a period extending to a date after the minor has reached 18 years of age. -- Amends provisions relating to protective order; additional orders. Adds clause, including, in the case where a protective order restrains any party from contacting, threatening, or physically abusing a minor, a fixed reasonable period extending to a date after the minor has reached 18 years of age. -- HB1237 SD2

Committee Reports: HSCR 767 (JHA) SSCR 1147 (HMS) SSCR 1586 (JDC)

Current Status: Apr-23 21 Received by the Governor

Section Affected: 586-5, 586-5.5, 604-10.5

HB1253 HD3 SD1 CD1 (CCR 34)

RELATING TO EMPLOYMENT PRACTICES.

Introduced by: Takayama G

Establishes the mobile applications law. Establishes provisions relating to unlawful practices. Provides that it shall be unlawful for any employer to require an employee to download a mobile application to the employee's personal communication device that

HOUSE BILLS THAT PASSED THE LEGISLATURE

enables the employee's location to be tracked or their personal information revealed as a condition of employment or continued employment; or; terminate, discharge, or otherwise discriminate against an employee for refusing to download a mobile application to the employee's personal communication device that enables the employee's location to be tracked or their personal information to be revealed; or opposing any practice forbidden by this part or filing a complaint, testifying, or assisted in any proceeding concerning the unlawful practices prohibited under this provision. -- Establishes provisions relating to exception. Provides that nothing in this part shall be deemed to repeal or affect any law or ordinance, rule, or regulation having the force and effect of law; apply to the US government; or conflict with or affect the application of security regulations in employment established by the US or the State; apply if the employee consents to downloading the mobile application to the employee's personal communication device that enables the employee's location to be tracked or the employee's personal information to be revealed; or prohibit an employer from requiring an employee to carry or use an employer owned communication device that enables the employee's location to be tracked. -- Establishes provisions relating to civil actions for injunctive relief or damages. Allows an employee who alleges a violation of this part to bring a civil action for appropriate injunctive relief, actual damages, or both within 2 years after the occurrence of the alleged violation. Establishes civil fines for each violation; and to be deposited with the director of finance to the credit of the state general fund. -- HB1253 CD1

Committee Reports: HSCR 153 (LAT) HSCR 503 (CPC) HSCR 869 (JHA) SSCR 1262 (LCA) SSCR 1616 (JDC) CCR 34

Current Status: Apr-27 21 Passed Legislature

Section Affected: 378- (4 SECTIONS) MOBILE APPLICATIONS

HB1276 HD1 SD1 CD1 (CCR 113)

RELATING TO STATE PARKS.

Introduced by: Nakamura N, DeCoite L, Gates C, Hashimoto T, Holt D, Ilagan G, Lowen N, Marten L, Mizuno J, Morikawa D, Perruso A, Quinlan S, Tam A, Tarnas D, Todd C, Wildberger T

Establishes provisions relating to fee schedules under parks and recreation areas law. Allows notwithstanding any law to the contrary, the board of land and natural resources to adopt, amend, or repeal administrative fee schedules, exempt from administrative procedure law, for all user fees, including but not limited to camping, lodging, parking, group use, and special use activities for which the department of land and natural resources charges fees. Allows fee schedules to be adopted at regular or special meetings of the board of land and natural resources pursuant to provisions relating to meetings, regular, special; quorum under public lands, management, and disposition of law. Requires the division of state parks to post notice on the division's and department's websites of any proposed amendments to administrative fee schedules at least 45 days prior to the meeting of the board of land and natural resources at which the amended fee schedule is to be considered. Requires the notice to include as specified. Requires the board of land and natural resources to afford all interested persons an opportunity to submit data, views, or arguments, orally or in writing. Requires any administrative fee schedule adopted, amended, or repealed pursuant to this provision to become effective 10 days after adoption by the board of land and natural resources, unless otherwise specified by the board. Requires if the board of land and natural resources specifies a later effective date, the later date to be the effective date; provided that no administrative fee schedule shall have an effective date more than 30 days after adoption of the administrative fee schedule by the board. (COVID-19, COVID 19, Coronavirus) -- HB1276 CD1

Committee Reports: HSCR 182 (WAL) HSCR 563 (JHA) HSCR 955 (FIN) SSCR 1249 (WTL) SSCR 1656 (WAM) CCR 113

Current Status: Apr-27 21 Passed Legislature

Section Affected: 184- (1 SECTION) FEE SCHEDULES

HB1278 HD1 (HSCR 29)

RELATING TO EMPLOYMENT SECURITY.

Introduced by: Onishi R

Amends provisions relating to definition under Hawaii employment security law. Redefines benefit year to mean a period of 52 consecutive weeks beginning with the 1st day of the week in which an individual files a new valid claim for benefits; except that the benefit year shall be 53 weeks if the filing of a new valid claim would result in overlapping any quarter of the base year of a previously filed new claim; and a subsequent benefit year cannot be established until the expiration of the current benefit year. Redefines week to mean a period of 7 consecutive calendar days commencing with Sunday and

HOUSE BILLS THAT PASSED THE LEGISLATURE

ending at midnight the following Saturday. Amends provisions relating to partial unemployment; claim filing requirements, determinations. Requires continued claim certifications for partial unemployment benefits shall be filed in the same manner and extent that apply to total or part total unemployment benefits. -- Amends provisions relating to rate of contributions; financing benefits paid to government employees and employees of nonprofit organizations. Provides that notwithstanding any other provision of this part to the contrary, for weeks of unemployment beginning March 15, 2020, and ending on March 20, 2021, any base period employer charged with benefits that are not a direct result of the COVID-19 pandemic shall be entitled to a relief in the form of a 50 per cent credit against the amount owed by the reimbursable employer; provided that this relief shall not apply to any base period employer making reimbursements instead of contributions. -- Amends provisions relating to contribution rate schedules; fund solvency rate schedule; rates based on experience. Changes that require contribution rate schedule from D to C to apply for calendar years 2021 and 2022. -- Amends provisions relating to procedure for rate determination. Provides that notwithstanding any other provision of this law, requires the director of labor and industrial relations for calendar years 2021 and 2022 to modify the annual computation to omit benefits charged for all employers to address the disruptions caused by COVID-19. (COVID 19, coronavirus). -- HB1278 HD1

Committee Reports: HSCR 29 (LAT/ FIN/) SSCR 570 (LCA/ WAM/)
Current Status: Feb-22 21 Received by the Governor
Mar-02 21 Approved by Governor (Act 1 2021)
Section Affected: 383-1, 383-29.7, 383-62, 383-68, 383-69

HB1281 HD1 SD2 CD1 (CCR 185)

RELATING TO EMERGENCY MEDICAL SERVICES.

Introduced by: Yamane R, Aquino H, Cullen T, Johanson A, Luke S
Establishes a 3 year transfer of certain duties, functions, and powers relating to emergency medical services for the city and county of Honolulu from the department of health to the city and county of Honolulu. Begins transition on July 1, 2021. Appropriation out of the emergency medical services special fund to the city and county of Honolulu for emergency medical services in the city and county of Honolulu. Appropriation out of the funds received by the State from the American Rescue Plan Act, Public Law 117-2 (Section 9901), to the department of health for the operation of the statewide emergency medical services and injury prevention system. Phases out funding from general revenues for emergency medical services in the city and county of Honolulu before July 1, 2024. (\$\$) -- HB1281 CD1

Committee Reports: HSCR 614 (HHH) HSCR 701 (FIN) SSCR 1266 (HTH) SSCR 1693 (WAM/ JDC/) CCR 185
Current Status: Apr=29 21 Passed Legislature
Section Affected: 46- (9 SECTIONS) COUNTY EMERGENCY MEDICAL SERVICES SYSTEM, 321- (1 SECTION), 321-221, 321-222, 321-223, 321-224, 321-224.2, 321-224.4, 321-226, 321-227, 321-228, 321-229, 321-230, 321-232, 321-234, 321-236

HB1283 HD1 SD1 CD1 (CCR 156)

RELATING TO HEALTH.

Introduced by: Yamane R
Establishes provisions relating to 1st responders personnel; dementia training. Allows employers of 1st responder personnel to obtain dementia training for 1st responder personnel as specified. Provides that the training shall be offered at no cost to the applicable 1st responder personnel and shall be funded by private contributions from relevant non profit organizations. Allows the executive office on aging to coordinate the training schedules and standards, as necessary, with all public and private entities and agencies responsible for services provided by 1st responder personnel, including entering into agreements or memoranda of agreement with nonprofit organizations to provide funding pursuant to this provision. Allows the employers of 1st responder personnel to utilize existing educational and training resources available in the public and private sectors when developing the training required under this provision. -- HB1283 CD1

Committee Reports: HSCR 615 (HHH) HSCR 907 (FIN) SSCR 1126 (HMS/ HTH/) SSCR 1683 (WAM) CCR 156
Current Status: Apr-28 21 Received by the Governor
Section Affected: 321- (1 SECTION) FIRST RESPONDER PERSONNEL

HB1284 HD2 SD2 CD1 (CCR 157)

RELATING TO THE DEPARTMENT OF HUMAN SERVICES.

Introduced by: Yamane R, Yamashita K

HOUSE BILLS THAT PASSED THE LEGISLATURE

Establishes provisions relating to all claims, all payer data center steering committee. Establishes within the department of human services an all claims, all payer data center steering committee. Requires the all claims, all payer data center steering committee to oversee and provide direction for the all claims, all payer database and data center within the health analytics program. -- HB1284 CD1

Committee Reports: HSCR 233 (HHH) HSCR 569 (JHA) HSCR 908 (FIN) SSCR 1155 (HMS) SSCR 1664 (WAM) CCR 157

Current Status: Apr-28 21 Received by the Governor

Section Affected: 346- (1 SECTION) ALL-CLAIMS, ALL-PAYER DATA CENTER STEERING COMMITTEE

HB1291 HD1 SD2 CD1 (CCR 41)

RELATING TO SCHOLARSHIPS.

Introduced by: Ohno T, DeCoite L, Ganaden S, Har S, Hashimoto T, Ichiyama L, Ilagan G, LoPresti M, Lowen N, McKelvey A, Morikawa D, Nakamura N, Tam A, Ward G, Wildberger T, Woodson J

Amends provisions relating to the Hawaii state scholars program. Requires the university of Hawaii to offer scholarships to pay for educational costs, such as tuition, fees, books, housing, and other educational costs; provided that the scholarship applicant presents evidence of academic excellence by meeting specified requirements, including as having earned a high school diploma from a public high school in the State with a cumulative grade point average of 3.0 as determined for admission to the university, if the student provides evidence that the student qualified for and received special education services for 2 or more years during enrollment in grades 7 through 12. -- HB1291 CD1

Committee Reports: HSCR 456 (EDN/ HET/) HSCR 785 (FIN) SSCR 1148 (HRE) SSCR 1606 (WAM) CCR 41

Current Status: Apr-27 21 Passed Legislature

Section Affected: 304A-504

HB1296 HD1 SD2 CD1 (CCR 169)

RELATING TO STATE FUNDS.

Introduced by: Luke S

Amends provisions relating to Hawaii tobacco settlement special fund. Specifies that Hawaii tobacco settlement special fund moneys shall only be deposited into the university revenue undertakings fund until July 1, 2033. -- Amends provisions relating to tobacco prevention and control advisory board. Repeals the requirement that the tobacco prevention and control advisory board to advise the on the administration of the Hawaii tobacco prevention and control trust fund. -- Repeals the Hawaii tobacco prevention and control trust fund and any unencumbered balances remaining in the Hawaii tobacco prevention and control trust fund as of June 30, 2025, shall lapse to the credit of the general fund on June 30, 2025. Prohibits any contract relating to the management of the Hawaii tobacco prevention and control trust fund moneys to extend beyond June 30, 2025 (sunset). Report to the legislature. -- Appropriation to the department of health for payroll and other current expenses to address the budget shortfall for the state comprehensive emergency medical services system. Appropriation to the office of the governor for the establishment of 2 full time equivalent (2.00 FTE) permanent positions and 5 full time equivalent (5.00 FTE) temporary positions for the office of the governor.

-- Establishes provisions relating to non general fund positions; reimbursement. Requires each department, including the university of Hawaii and the department of education, to reimburse the State for contributions made by the State pursuant to provisions relating to reimbursement for state contributions and contributions by certain state agencies, for fringe benefits of employees whose positions are funded by a special fund rather than by the general fund. -- Amends provisions relating to disposition of revenues. Specifies that the cigarette tax revenues deposited to the credit of the cancer research special fund shall only be used for capital expenditures and only until July 1, 2041. Ceases deposits of cigarette tax revenues into the emergency medical services special fund on July 1, 2021. -- Establishes provisions relating to the threat assessment team program; established. Establishes within the Hawaii state fusion center of the office of homeland security a threat assessment team program for the Hawaii state fusion center to train, establish, and operate threat assessment teams. Requires the threat assessment team program and facility to be located at the 1st Responders Technology Park, TMK 9-5-002:057, at an appropriate time. -- Appropriation to the department of human resources development for 1 full time equivalent (1.00 FTE) permanent administrative assistant position in the department of human resources development. (\$\$) (COVID-19, COVID 19, coronavirus) -- HB1296 CD1

Committee Reports: HSCR 616 (HHH/ HET/) HSCR 958 (FIN) SSCR 1268 (HTH/ HRE/) SSCR 1665 (WAM) CCR 169

HOUSE BILLS THAT PASSED THE LEGISLATURE

Current Status: Apr-28 21 Received by the Governor
Section Affected: 328L-2, 328L-6, 328L-5, 36- (1 SECTION), 245-15, 128A- (1 SECTION)

- HB1297 HD2 SD2 CD1 (CCR 183) RELATING TO STATE FINANCES.
Introduced by: Luke S
Amends House Bill 200, H.D. 1, S.D. 1, C.D. 1 (2021), relating to the state budget. Appropriation to be allotted by the director of finance to the appropriate state departments for expenditure for statewide collective bargaining costs. -- HB1297 CD1
Committee Reports: HSCR 345 (HHH) HSCR 959 (FIN) SSCR 1269 (HTH/ HRE/ SSCR 1633 (WAM) CCR 183
Current Status: Apr-27 21 Passed Legislature
- HB1298 HD1 SD1 CD1 (CCR 150) RELATING TO STATE FUNDS.
Introduced by: Luke S
Authorizes the director of finance to transfer the amounts or so much thereof as may be necessary for fiscal year 2020-2021 from the following funds to the general fund; specifically funds from the department of accounting and general services; department of agriculture; department of the attorney general; department of business, economic development, and tourism; department of defense; department of education; department of health; department of human resources development; department of human services; department of labor and industrial relations; department of land and natural resources; department of public safety; department of taxation; university of Hawaii. Requires this Act to take effect retroactively on June 30, 2021. -- Establishes provisions relating to non general fund program measures reports; and reporting of non general fund information. Requires each department to annually submit to the Legislature program measures, costs elements, and accounting reports for all non general funds under its control. Report to the legislature. (COVID-19, COVID 19, coronavirus) -- HB1298 CD1
Committee Reports: HSCR 843 (FIN) SSCR 1564 (WAM) CCR 150
Current Status: Apr-28 21 Received by the Governor
Section Affected: 37- (2 SECTIONS), 37-47
- HB1299 HD1 SD1 CD1 (CCR 151) RELATING TO NON-GENERAL FUNDS.
Introduced by: Luke S
Repeals various non general funds of the department of agriculture; department of budget and finance; department of business, economic development, and tourism; department of education; department of health; department of labor and industrial relations; department of land and natural resources; department of human services; department of public safety; department commerce and consumer affairs; department of Hawaiian home lands; university of Hawaii; department of the attorney general; and department of transportation. Implements recommendations of the auditor. Transfers most unencumbered balances to the credit of the general fund. (COVID-19, COVID 19, coronavirus) -- HB1299 CD1
Committee Reports: HSCR 844 (FIN) SSCR 1565 (WAM) CCR 151
Current Status: Apr-28 21 Received by the Governor
Section Affected: 145-38, 155-4, 155-14, 155-31, 155-33, 243-3.5, 141-10, 155-34, 157-29, 155-6.5, 302A-425, 302A-425.5, 448B-10, 396-20, 206E-6, 206E-16, 206E-16.5, 206E-184, 206E-185, 206E-195, 206E-201, 206E-204, 206M-15.2, 210D-4, 210D-8, 206M-15.3, 206M-15.6, 353B-6, 706-648, 706-649, 304A- (1 SECTION), 304A-2156, 304A-2162, 304A-2277, 28-16, 456-9, 456-9.5, 456-18, 712A-16, 264-16, 291C-3, 291C-4, 264-19, 356D-11, 356D-28
- HB1311 HD2 SD2 CD1 (CCR 123) RELATING TO AFFORDABLE HOUSING.
Introduced by: Yamashita K, DeCoite L, Hashimoto T, McKelvey A, Nakamura N, Woodson J
Amends Act 98, session laws of 2019, which has an appropriation out of the rental housing revolving fund to expedite and complete the construction of the Leialii affordable housing project in Lahaina, Maui. Repeals provisions that provide that if the project does not obtain necessary land use entitlements by April 30, 2020, the appropriated funds shall be returned to the rental housing revolving fund. -- Requires the Villages of Leialii affordable housing project in Lahaina, Maui, to comply with the requirements of the historic preservation law, as funding is appropriated for each portion of the Villages of Leialii affordable housing project. -- Requires the developer of the Keawe street

HOUSE BILLS THAT PASSED THE LEGISLATURE

apartments affordable housing project to only be responsible for all associated costs of the archaeological inventory survey for the footprint of the Keawe street apartments affordable housing project and shall not be responsible for the cost of the archaeological inventory survey for the entire Villages of Leialii master planned community. -- HB1311 CD1

Committee Reports: HSCR 176 (HSG) HSCR 618 (JHA) HSCR 693 (FIN) SSCR 1227 (HOU/ WTL/) SSCR 1694 (WAM/ JDC/) CCR 123

Current Status: Apr-27 21 Passed Legislature

Section Affected: ACT 98 2019

HB1318 HD1 SD1 CD1 (CCR 79)

RELATING TO SUSTAINABILITY.

Introduced by: Lowen N, Tarnas D

Establishes provisions relating to the environmental advisory council; established. Creates an environmental advisory council not to exceed 15 members. Requires the environmental advisory council to be established within the office of planning. -- Amends the environmental quality control advisory council law by changing its title to environmental advisory council. -- Transfers the rights, powers, employees, appropriations, and other personal property from the office of environmental quality control to the office of planning. Transfers all rules adopted or developed by the department of health, office of environmental quality control, or environmental council to the office of planning. -- Amends provisions relating to environmental impact statements law. Amends the ability for an applicant to appeal nonacceptance of an environmental impact statement from the environmental council to the environmental court. -- HB1318 CD1

Committee Reports: HSCR 356 (EEP) HSCR 787 (FIN) SSCR 1568 (AEN/ WTL/ GVO/ JDC/ WAM/) CCR 79

Current Status: Apr-27 21 Passed Legislature

Section Affected: 341- (1 SECTION), 10-41, 128E-2, 150A-10, 195D-21, 225M-2, 225P-4, 279A-4, 341-2, 341-6, 343-2, 343-5, 343-6, 343-7, 128D-31, 186-3, 195D-4, 195D-22, 195D-24, 205A-30, 205A-42, 501-33, 669-1, 304A-1551, 341-3, 341-4

HB1322 HD1 SD2 (SSCR 1666)

RELATING TO TRAUMA-INFORMED CARE.

Introduced by: Cullen T, Aquino H, Kitagawa L, Yamane R

Establishes a trauma informed care task force within the department of health. Requires the task force to develop and make recommendations for trauma informed care in the State as specified. Report to the legislature. Task force to cease to exist on July 1, 2024 (sunset). -- HB1322 SD2

Committee Reports: HSCR 142 (HHH) HSCR 313 (CPC) HSCR 909 (FIN) SSCR 1201 (HTH) SSCR 1666 (WAM)

Current Status: Apr-27 21 Passed Legislature

HB1333 HD1 SD1 CD1 (CCR 78)

RELATING TO ENERGY.

Introduced by: Kitagawa L, Cullen T, Eli S, Holt D, Ilagan G, Johanson A, Lowen N, Marten L, Matsumoto L, Mizuno J, Morikawa D, Tam A, Tarnas D

Requires the Hawaii natural energy institute, in consultation with the department of health, to conduct a comprehensive study to determine best practices for disposal, recycling, or secondary use of clean energy products in the State. Report to the legislature. -- HB1333 CD1

Committee Reports: HSCR 421 (EEP) HSCR 788 (FIN) SSCR 1130 (EET) SSCR 1667 (WAM) CCR 78

Current Status: Apr-27 21 Passed Legislature

HB1348 HD2 SD2 CD1 (CCR 174)

RELATING TO THE STADIUM DEVELOPMENT DISTRICT.

Introduced by: Johanson A

Amends provisions relating to stadium authority; appointment, terms. Requires that the stadium authority is to consist of 11 members who shall be appointed by the governor. Specifies the residency requirements and terms of the members. -- Amends provisions relating to the stadium authority; powers and duties. Requires the powers and duties of the stadium authority to be to repair, maintain, and operate stadium facilities and the stadium development district; coordinate in planning, design, and construction activities, including on site repairs, within the stadium development district; acquire and hold title to real property; prescribe and collect rents, fees, and charges for the use or enjoyment of the stadium, facilities related to the stadium, and real property held by the stadium authority, including entering into leases, contracts, sponsorship and advertising

HOUSE BILLS THAT PASSED THE LEGISLATURE

agreements, food and beverage agreements, concession agreements, parking agreements, or other development and use agreements that may apply; provided that leases shall not exceed a term of ninety-nine years; and appoint officers, agents, and employees, prescribe their duties and qualifications, and fix their salaries, without regard to chapters 76 and 89, to manage the stadium, the stadium development district, and its contractors. -- Amends provisions relating to definition of public lands. Exempts lands to which the stadium authority holds title from the definition of public lands. Provides that if the lands pursuant to this provision are no longer needed for the stadium development district or related purposes, the lands shall be returned to the public land trust administered by the department. -- Amends provisions relating to legislative approval of sale or gift of lands. Adds land to which the stadium authority holds title. -- Establishes the stadium development special fund; established. Establishes the stadium development special fund, into which funds collected by the stadium authority shall be deposited, including all revenues from the stadium development district, including but not limited to agreements or actions generating revenue related to stadium operations, lease or rental of facilities or land, concessions, food and beverage, parking, sponsorship and advertising, utilities and infrastructure, and development; all gifts or grants awarded in any form from any public agency or from any other source for purposes of the stadium development district; all proceeds from revenue bonds issued for the purpose of the stadium development district; and appropriations made by the legislature to the fund. Requires moneys in the stadium development special fund to be used by the stadium authority for the payment of expenses arising from any and all use, operation, repair, maintenance, alteration, improvement, development, or any unforeseen or unplanned repairs of the stadium development district, including without limitation the development, operation, and maintenance of a new stadium; food and beverage service and parking service provided at the stadium facility; the sale of souvenirs, logo items, or other items; any future major repair, maintenance, and improvement of the stadium facility as a commercial enterprise or as a world class facility for athletic events, entertainment, or public events; and marketing the facility pursuant to section 109-2(4) and (8); and contractual payments to developers or contractors engaged by the stadium authority for the purpose of redeveloping the site and related on and off site infrastructure that benefits the stadium district and its development guidance policies. -- Amends provisions relating to stadium special fund. Provides that upon the effective date of Act _____, session laws of 2021, the stadium special fund established herein shall be abolished, and all appropriations, encumbrances, and the remaining unencumbered balance shall be transferred to the stadium development special fund. -- Amends provisions relating to district; established; boundaries. Requires the stadium authority to have sole jurisdiction over the development of the stadium development district. -- Amends provisions relating to development guidance policies. Requires the following to be the development guidance policies generally governing the authority's actions in the district; development shall be in accordance with stadium development district development plans or transit oriented development plans adopted by the stadium authority for the development of the district; provided that the plan or plans shall consider any county transit oriented development plan and allow for public input in the plan's preparation and updates. -- Amends provisions relating to stadium development district governance; memorandum of agreement. Requires the stadium authority to have sole jurisdiction regarding matters affecting the stadium development district; provided that the Hawaii community development authority, department of accounting and general services, and stadium authority shall enter into a memorandum of agreement regarding the implementation of responsibilities of the respective agencies. -- Amends provisions relating to transfers from special funds for central service expenses. Exempts the stadium development special fund. -- Amends provisions relating to special fund reimbursements for departmental administrative expenses. Exempts the stadium development special fund. -- Amends provisions relating to requirements of disclosure. Requires the financial disclosure statements of the stadium authority to be public records and available for inspection and duplication. -- Amends Act 268, session laws of 2019, to allow the stadium authority, as the designated expending agency for capital improvement projects authorized in this Act, with the approval of the governor, to delegate to other state agencies the implementation of projects, including the transfer of funds to implement those projects, when it is determined to be advantageous to do so by the stadium authority as the original expending agency and the agency to which expending authority is to be delegated. -- Amends Act 268, Session Laws of 2019, by repealing the authorization of the Hawaii community development authority, with the approval of the governor, to issue in 1 or more series revenue bonds in a total amount not to exceed 180,000,000 dollars for the Hawaii community development authority to implement the stadium development district.

HOUSE BILLS THAT PASSED THE LEGISLATURE

-- Amends Act 268, session laws of 2019, by providing that all moneys from the appropriation unencumbered as of June 30, 2024, shall lapse as of that date. -- Requires the general obligation bonds appropriated by Act 268, session laws of 2019, that have been allotted and encumbered prior to approval of this Act to continue to be expended in accordance with the memorandum of agreement executed by and between the Hawaii community development authority, stadium authority, and department of accounting and general services. (\$\$) -- HB1348 CD1

Committee Reports: HSCR 223 (WAL) HSCR 864 (FIN) SSCR 1145 (EET/ WTL/ SSCR 1668 (WAM) CCR 174

Current Status: Apr-28 21 Received by the Governor

Section Affected: 109-1, 109-2, 109-7, 171-2, 171-64.7, 109- (1 SECTION), 206E-222, 109-3, 109-8, 206E-223, 206E-224, 206E-225, 36-27, 36-30, 84-17, ACT 268 2019, (1 SECTION), ACT 4 2020

HB1352 HD1 SD2 CD1 (CCR 116)

RELATING TO SURPLUS MILITARY LAND.

Introduced by: Marten L, Branco P, Kapela J, Matayoshi S, McKelvey A, Perruso A, Takumi R, Wildberger T

Requires the office of planning to seek input from all executive branch departments and agencies and the office of Hawaiian affairs on remediation and restoration needs of, and proposed alternative uses for, the lands identified pursuant to this provision that would be consistent with the respective missions of those departments and agencies if the lands are returned to the State. Requires the office of planning to submit a report to the legislature, no later than twenty days prior to the convening of the regular session of 2022, containing the following; the inventory report prepared by the department of land and natural resources pursuant to this provision; the report prepared by the department of health pursuant to this provision; input derived pursuant to this provision; and the office of planning's findings and recommendations based on the information gathered pursuant to this provision, including any proposed legislation. (Report to the legislature). Requires the department of land and natural resources to submit to the office of planning, no later than a date to be determined by the office of planning, an inventory report of all lands within the State that are leased to the federal government or under federal government control, including information pertaining to lease expiration dates, plans to close any military facilities on those lands, and other relevant information. Requires the department of health to consult with the Environmental Protection Agency and submit to the office of planning, no later than a date to be determined by the office of planning, a report identifying any known contaminants or environmental hazards discovered on the lands identified pursuant to this provision or associated with past environmental studies performed in connection with those lands. -- HB1352 CD1

Committee Reports: HSCR 169 (CMV) HSCR 433 (WAL) HSCR 914 (FIN) SSCR 1153 (WTL/ AEN/ PSM/) SSCR 1607 (WAM) CCR 116

Current Status: Apr-27 21 Passed Legislature

HB1362 HD1 SD2 CD1 (CCR 161)

RELATING TO ACCESS TO LEARNING.

Introduced by: Woodson J, DeCoite L, Ganaden S, Gates C, Hashem M, Hashimoto T, Holt D, Ichiyama L, Ilagan G, Kapela J, Kobayashi B, LoPresti M, Marten L, Matayoshi S, Mizuno J, Ohno T, Quinlan S, Saiki S, Sayama J, Takayama G, Tam A, Todd C, Wildberger T, Yamane R, Yamashita K

Establishes provisions relating to the Hawaii early childhood educator stipend program. Establishes the program to be administered by the executive office on early learning to address the shortage of early childhood educators who have coursework in early childhood education. Establishes eligibility for stipend consideration. Provides that immediately following completion of a certificate, degree, or license program, stipend recipients shall provide early care and education services directly to children from birth through 5 years of age for 2 consecutive years in 1 of the early learning systems including Hawaiian language medium and Hawaiian immersion settings and early learning settings at charter schools. Establishes provisions for repayment of stipends. Allows the office to enter into written contracts with collection agencies to collect delinquent repayment of stipends owed to the office. -- Establishes provisions relating to the Hawaii early childhood educator special fund. Establishes within the state treasury the Hawaii early childhood educator special fund, to be administered by the office, into which shall be deposited all moneys received by the office pursuant to this provision. Requires moneys in the fund to be used for the Hawaii early childhood educator stipend program. -- Amends provisions relating to the department of education. Allows the department of education to directly accept private funding for the purpose of establishing public prekindergarten programs under certain circumstances. -- Extends certain

HOUSE BILLS THAT PASSED THE LEGISLATURE

effective dates for implementation of Act 46, session laws of 2020, relating to access to learning. Requires the application of a uniform assessment for public and charter school kindergarten students. Report to the legislature. Allows educational data to be shared using an existing system. Appropriation to the department of education for 1 full time equivalent (1.0 FTE) position to coordinate, staff, and facilitate the implementation of Act 46, session laws of 2020, which will report to the early learning board. (\$\$). Repeals specific provisions on July 1, 2022 and July 1, 2024 (sunset). (COVID-19, COVID 19, coronavirus) -- HB1362 CD1

Committee Reports: HSCR 469 (EDN) HSCR 919 (FIN) SSCR 1254 (EDU/ HMS/)
SSCR 1708 (WAM) CCR 161

Current Status: Apr-28 21 Received by the Governor

Section Affected: 302L- (2 SECTIONS), 26-12, 302D-39, 302L-7, 346-181,
346-184, 443B-9, ACT 46 2020, 27-7

HB1366 HD1 (HSCR 594)

RELATING TO FIREARMS.

Introduced by: Branco P, Belatti D, DeCoite L, Ganaden S, Holt D, Johanson A, Kapela J, Marten L, Matayoshi S, Nakamura N, Ohno T, Tam A, Wildberger T

Amends provisions relating to manufacturing, purchasing, or obtaining firearm parts to assemble a firearm having no serial number; penalty. Prohibits a person who is not licensed to manufacture a firearm, or who is not a dealer licensed by the US Department of Justice, to, for the purpose of assembling a firearm, possess, purchase, produce with a 3 dimensional printer, or otherwise obtain separately, or as part of a kit. -- Amends Act 74, session laws of 2020. Repeals provision that this Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date. -- HB1366 HD1

Committee Reports: HSCR 594 (JHA) HSCR 732 (FIN) SSCR 1559 (JDC/ WAM/)

Current Status: Apr-13 21 Received by the Governor

Section Affected: 134-10.2, ACT 74 2020

HB1376 HD2 SD2 CD1 (CCR 163)

RELATING TO THE LANDLORD-TENANT CODE.

Introduced by: Hashimoto T, Belatti D, Branco P, DeCoite L, Ichiyama L, Ilagan G, Kapela J, Kitagawa L, LoPresti M, Lowen N, Luke S, Marten L, McKelvey A, Morikawa D, Nakamura N, Ohno T, Quinlan S, Takayama G, Tam A, Tarnas D, Todd C, Woodson J, Yamashita K

Amends provisions relating to landlord's remedies for failure by tenant to pay rent. Allows a landlord or the landlord's agent may, any time after rent is due, demand payment thereof and notify the tenant in writing that unless payment is made within a time mentioned in the notice as provided in related provisions, not less than 15 calendar days after receipt thereof, the rental agreement shall be terminated. Requires if the tenant cannot be served with notice as required, notice may be given to the tenant by posting the same in a conspicuous place on the dwelling unit, and the notice shall be deemed received on the date of posting. the tenant remains in default, the landlord may thereafter bring a summary proceeding for possession of the dwelling unit or any other proper proceeding, action, or suit for possession, subject to related provisions. Provides that the notice required in this provision need not be given if the action is based on the breach of a mediated agreement or other settlement agreement. Requires the 15 calendar day notice to provide, at a minimum, the following as specified. Requires landlords or their agents to provide the 15 calendar day notice to a mediation center that offers free mediation for residential landlord tenant matters. Prohibits the landlord to bring a summary proceeding for possession for a tenant's failure to pay rent except pursuant to this provision and as specified. -- Appropriation out of the American Rescue Plan Act of 2021, section 3201, Emergency Rental Assistance, Housing Stability Services funds, to the county of Hawaii; county of Kauai; county of Maui; and city and county of Honolulu, to the contract for services as permissible by this Act and the guidance published by the US Treasury for Emergency Rental Assistance. -- Appropriation out of the American Rescue Plan Act of 2021, section 9901, Coronavirus State and Local Fiscal Recovery Fund, to the county of Hawaii; county of Kauai; county of Maui; and city and county of Honolulu, to the contract for services as permissible by this Act and the guidance published by the US Treasury to assist households that do not qualify under American Rescue Plan Act of 2021, section 3201, Emergency Rental Assistance, Housing Stability Services funds. -- Establishes that this Act to take effect upon approval; provided that the governor shall notify the chief justice, legislature, and revisor of statutes no later than 20 days prior to the expiration of the final eviction moratorium identified in specified provisions of this Act, that the governor will not be issuing any further eviction moratoriums in response to the COVID 19 pandemic. On December 31, 2022, or upon

HOUSE BILLS THAT PASSED THE LEGISLATURE

the 1 year anniversary of the expiration date identified by the governor, whichever is sooner all provisions of this Act except specified provisions shall be repealed; and provisions relating to landlord's remedies for failure by tenant to pay rent, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day prior to the effective date of this Act. (\$\$) (COVID-19, COVID 19, Coronavirus) -- HB1376 CD1

Committee Reports: HSCR 379 (CPC) HSCR 887 (FIN) SSCR 1140 (CPN) SSCR 1709 (WAM/ JDC/) CCR 163

Current Status: Apr-28 21 Received by the Governor

Section Affected: 521-68