

Honolulu, Hawaii

FEB 06 , 2024

RE: H.B. No. 2570
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2570 entitled:

"A BILL FOR AN ACT RELATING TO ATTORNEYS,"

begs leave to report as follows:

The purpose of this measure is to require attorneys applying for a pro hac vice appearance in the State's courts to provide:

- (1) Evidence of the applicant's and local counsel's Hawaii business registrations;
- (2) The applicant's and local counsel's Hawaii general excise tax license numbers;
- (3) An affirmation that both the applicant and local counsel will pay all state income tax due for Hawaii business activities; and
- (4) All other information or documentation required by the Rules of the Supreme Court of the State of Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Association of Public Accountants; Niwao & Roberts, CPAs, a P.C.; and two individuals. Your Committee received testimony in opposition to this measure from the



Judiciary. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that pro hac vice is the practice whereby an attorney who has not been admitted to practice in a particular jurisdiction is allowed to participate in proceedings in that jurisdiction. In Hawaii, the pro hac vice appearance of counsel is authorized pursuant to rules adopted by the Hawaii Supreme Court. Your Committee believes that these rules should be updated to ensure that attorneys engaging in the pro hac vice process are aware of their state tax obligations.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2570, H.D. 1, and be referred to your Committee on Finance.

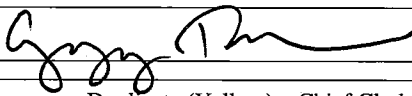
Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2570	Committee Referral: JHA, FIN	Date: 1-31-24		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. EVSLIN, Luke A.	/			
4. GANADEN, Sonny		/		
5. HOLT, Daniel	/			
6. ICHIYAMA, Linda				/
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIYAKE, Tyson K.	/			
10. SOUZA, Kanani		/		
TOTAL (10)	7	2	-	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size:small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				