

Honolulu, Hawaii

FEB 06 , 2024RE: H.B. No. 2722
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 Human Services, to which was referred H.B. No. 2722 entitled:

"A BILL FOR AN ACT RELATING TO YOUTH FEES AND FINES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit the assessment of any fees, fines, or court costs against a person who is adjudicated for an offense committed while the person was a minor under the age of eighteen or against the person's parent or guardian;
- (2) Limit court-ordered community service for a minor to no more than seventy-two hours; and
- (3) Repeal the statewide curfew for minors.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Policy Advocacy Clinic at Berkeley Law; ACLU, Hawai'i; Community Alliance on Prisons; Opportunity Youth Action Hawaii; and two individuals. Your Committee received comments on this measure from the Judiciary and Department of the Attorney General.



Your Committee finds that charging fees, fines, and court costs to youth is harmful to young people and their families. Your Committee believes that because assessing fines in juvenile justice proceedings is not an evidence-based practice for rehabilitating youth, Hawaii should reform its assessment of fees and fines for mistakes made in a person's youth.

Your Committee has amended this measure by:

- (1) Specifying that a minor found guilty of various driver licensing violations may be ordered to perform community service at the discretion of the Family Court;
- (2) Clarifying that removing the responsibility of any financial reimbursement from a minor or the minor's parent or guardian does not preclude a court from ordering restitution to a victim, as applicable;
- (3) Amending sentencing provisions for minors for an act constituting graffiti by requiring the court to provide a minor with the option to participate in the Judiciary's Accountability Program;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2722, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2722, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on
behalf of the members of the
Committee on Human Services,



LISA MARTEN, Chair



