

Honolulu, Hawaii

MAR 21 2025

RE: H.B. No. 463  
H.D. 3  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which  
was referred H.B. No. 463, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO EVICTION RECORDS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the court to disassociate, within a reasonable time, a residential tenant from a legal proceeding brought by a landlord to evict a tenant, if certain conditions are met;
- (2) Authorize the court to disassociate a residential tenant from a legal proceeding brought by a landlord to evict a tenant upon motion by a tenant who is able to demonstrate that certain conditions apply;
- (3) Make it a discriminatory practice to discriminate against a person based on the knowledge or belief that the person has been the subject of an eviction action that was disassociated; and
- (4) Prohibit discrimination in real property transactions against a person that was the subject of an eviction action that was disassociated.



Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!, Hawai'i Workers Center, Hawai'i Nurses' Association - OPEIU Local 50, Lāhainā Strong, Hawaii Appleseed Center for Law and Economic Justice, and sixteen individuals.

Your Committee received comments on this measure from the Judiciary, Hawai'i Association of REALTORS, and Public First Law Center.

Your Committee finds that eviction records can pose a serious barrier to housing for tenants. The threat of an eviction record often prevents tenants from asserting their rights and asking their landlord to make repairs or address habitability issues affecting their home. Landlords may simply do an online search for prospective tenants' names on the Judiciary's publicly accessible system and see a summary possession case and deny a tenant's application without understanding the entire facts of the case or even its final disposition, which can further add to the State's ongoing housing crisis.

While this measure aims to reduce some of the hardships that may result from an eviction, more time is needed to fully assess the various issues and impacts of this measure and to allow the Judiciary the ability to determine the best approach to programming its information management system.

Accordingly, your Committee has amended this measure by:

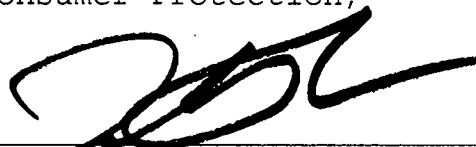
- (1) Deleting language that would have codified in Hawaii Revised Statutes the requirement for the court to disassociate a residential tenant from an eviction case brought by a landlord in certain circumstances, and inserting language requiring the Judiciary to conduct a study on its ability and best approaches to disassociate certain parties from eviction cases and the various issues and impacts that could result from the disassociations;
- (2) Inserting an appropriation of an unspecified amount for the Judiciary to conduct the study;



- (3) Amending section 1 to reflect its amended purpose; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 463, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 463, H.D. 3, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



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JARRETT KEOHOKALOLE, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

Record of Votes  
Committee on Commerce and Consumer Protection  
CPN

Bill / Resolution No.:* <b>HB 463 HD3</b>	Committee Referral: <b>CPN, JDC/WAM</b>	Date: <b>3/14/25</b>		
<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____</div>				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input type="checkbox"/> Pass, unamended 2312</div><div><input checked="" type="checkbox"/> Pass, with amendments 2311</div><div><input type="checkbox"/> Hold 2310</div><div><input type="checkbox"/> Recommit 2313</div></div>				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton			✓	
TOTAL	2		1	2
Recommendation: <div style="display: flex; justify-content: space-around; align-items: center;"><div><input checked="" type="checkbox"/> Adopted</div><div><input type="checkbox"/> Not Adopted</div></div>				
Chair's or Designee's Signature: <div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-top: 10px;">Carol Fukunaga</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"><div>Original File with Committee Report</div><div>Yellow Clerk's Office</div><div>Pink Drafting Agency</div><div>Goldenrod Committee File Copy</div></div>				

\*Only one measure per Record of Votes