

STAND. COM. REP. NO.

541

Honolulu, Hawaii

FEB 13 , 2025

RE: H.B. No. 874
H.D. 2

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

Madame:

Your Committee on Labor, to which was referred H.B. No. 874,
H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PERFORMERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require a parent or legal guardian of a minor in theatrical employment to establish a trust account for the minor with an independent third-party trustee;
- (2) Require the employer of a minor in theatrical employment to deposit at least 15 percent of the minor's gross earnings into the trust account until the child becomes an adult; and
- (3) Clarify that theatrical employment, as used in the State's child labor law, includes gainful employment as a social media influencer.

Your Committee received testimony in support of this measure from the Hawaii State AFL-CIO; SAG-AFTRA Hawai'i Local; Pride at Work-Hawai'i; and two individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

2025-1716 HB874 HD2 HSCR HMSO



Your Committee finds that a child in theatrical employment deserves financial protection for their earnings. Your Committee also finds that establishing a mandatory trust account for the child's earnings provides financial protection and limits the possibility for wage theft. Your Committee recognizes the intent of including social media influencers under the State's child labor law, however your Committee does not believe that there are sufficient regulations in place to enforce the requirements under this measure, as it relates to social media influencers.

Your Committee has amended this measure by:

- (1) Removing language that would include social media influencers under the definition of "theatrical employment" in the State's Child Labor Law; 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 Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 874, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.B. No. 874, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Labor,


JACKSON D. SAYAMA, Chair



HSCR 541

| Bill/Resolution No.: HB 874, HD1 | Committee Referral: HSH, LAB, CPC | Date: 2/11/25 | | |
|--|---|-------------------------|------|---------|
| <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) | | | | |
| LAB Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. SAYAMA, Jackson D. (C) | X | | | |
| 2. LEE, Mike (VC) | X | | | |
| 3. GARRETT, Andrew Takuya | X | | | |
| 4. KAPELA, Jeanne | X | | | |
| 5. KONG, Sam Satoru | X | | | |
| 6. REYES ODA, Julie | X | | | |
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| TOTAL (6) | 6 | | | |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: _____ | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO | | | | |