

STAND. COM. REP. NO. 1733

Honolulu, Hawaii

APR 04 2025

RE: H.B. No. 874  
H.D. 3  
S.D. 2

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

Sir:

Your Committees on Judiciary and Commerce and Consumer Protection, to which was referred H.B. No. 874, H.D. 3, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to protect the safety, morals, health, and well-being of child performers who work or reside in the State by requiring that a portion of the child performer's earnings be kept in trust for the benefit of the child performer until the child reaches the age of majority.

Your Committees received testimony in support of this measure from the Hawaii State AFL-CIO, IATSE Local 665, SAG-AFTRA Hawaii Local, Hawai'i Children's Action Network Speaks!, Pride at Work Hawai'i, and nineteen individuals.

Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that several states have made efforts to create safer, more transparent work environments, more safeguards



regarding the use or misuse of a child's likeness, and guaranteed financial protections for children who create digital content. Your Committees believe that one of the most important safeguards is the requirement that a portion of a child's income generated by their performance work be placed in a trust account and made available when they legally become an adult. This measure will provide this necessary layer of protection for the well-being of child performers in the State.

Your Committees note that this measure, as written, requires the Department of Labor and Industrial Relations to adopt rules for its Wage Standards Division to carry out the purposes of this measure. However, existing law limits the Department of Labor and Industrial Relations' Wage Standards Division's authority to matters administered under chapters 387 (minimum wage), 388 (non-payment of wages), and 390 (certificates of employment for minors), Hawaii Revised Statutes. Given that these duties are unrelated to private trust matters or how wages are spent, and because this measure already allows a private right of action and possible criminal penalties, your Committees believe that amendments to this measure are necessary.

Accordingly, your Committees have amended this measure by:

- (1) Deleting language that would have required the Department of Labor and Industrial Relations to adopt rules for its Wage Standards Division to carry out the purposes of this measure; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 874, H.D. 3, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 874, H.D. 3, S.D. 2.



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



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JARRETT KEOHOKALOLE, Chair



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KARL RHOADS, Chair



**Record of Votes**  
**Committee on Judiciary**  
**JDC**

\*Only one measure per Record of Votes

The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>HB 874 HD3 SD1</b>	Committee Referral: <b>LBT, JDC/CPN</b>	Date: <b>4/1/25</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
<b>Members</b>	<b>Aye</b>	<b>Aye (WR)</b>	<b>Nay</b>	<b>Excused</b>
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>5</b>			
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div> <b>Distribution:</b>            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