

STAND. COM. REP. NO.

1277

Honolulu, Hawaii

MAR 14 , 2025

RE: S.B. No. 1028
S.D. 1
H.D. 1

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

Madame:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 1028, S.D. 1, 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 allow community service in place of the assessment of any fines, fees, or court costs against a person who was adjudicated for a traffic-related offense committed while the person was a minor under the age of eighteen, or against the minor's parent or guardian.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Hawai'i Juvenile Justice State Advisory Council; American Civil Liberties Union of Hawai'i; Debt Free Justice Hawai'i; Community Alliance on Prisons; Opportunity for Youth Action Hawai'i; 'Ekolu Mea Nui; Nā 'Ōpio Waiwai; and three individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that charging fines and fees to youth in the justice system is an ineffective and harmful practice that disproportionately impacts Native Hawaiian and Pacific Islander minors. Studies show that these financial penalties place undue burdens on families, forcing difficult choices between paying

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court costs and meeting basic living needs. This measure allows courts to impose community service instead of financial penalties against certain violators for traffic-related offenses, ensuring accountability without creating long-term financial hardship for youth and their families.

Your Committee also finds that H.B. 129, H.D. 2 (Regular Session of 2025), a substantively similar measure, was previously passed by your Committee. Your Committee believes that H.B. 129, H.D. 2 is preferable, as it modifies the penalty sections of various areas of the Hawaii Revised Statutes, in addition to the traffic-related offenses sections amended by this measure.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of H.B. 129, H.D. 2, a measure that:

- (1) Prohibits 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, and discharges all related debt obligations assessed before the effective date of the measure;
- (2) Limits court-ordered community service for a minor to no more than seventy-two hours;
- (3) Repeals certain penalties imposed on parents, guardians, or other persons associated with unaccompanied children in streets and unmarried minors in dance halls; and
- (4) Includes an effective date of July 1, 3000.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1028, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1028, S.D. 1, 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 &
Homelessness,



LISA MARTEN, Chair



