

STAND. COM. REP. NO.

2031

Honolulu, Hawaii

APR 04 , 2025

RE: S.B. No. 1028
S.D. 1
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 Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1028, S.D. 1, H.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:

- (1) Prohibit the assessment of any fees, fines, or court costs against a person who was 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 certain penalties imposed on parents, guardians, or other persons associated with unaccompanied children in streets and unmarried minors in dance halls.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Office of Hawaiian Affairs; Juvenile Justice State Advisory Council; National Center for Youth Law; Mālama Mākua; Community Alliance on Prisons; Debt

2025-2888 SB1028 HD2 HSCR HMSO



Free Justice Hawai'i; American Civil Liberties Union of Hawai'i; 'EkoLu Mea Nui; Nā 'Ōpio Waiwai: The Youth Council of 'EkoLu Mea Nui; Opportunity for Youth Action Hawai'i; and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that imposing fees, fines, and court costs on minors involved in the juvenile justice system is an ineffective and harmful practice, placing an undue financial burden on the minor or their family. Rather than serving as a meaningful form of accountability, these penalties often deepen economic struggles and fail to achieve rehabilitation or deterrence. Your Committee also notes that many states have recognized these challenges and have taken steps to eliminate or reform juvenile justice-related fees and fines. This measure aligns Hawaii with these national efforts by prohibiting the assessment of such costs against minors and their families, thereby promoting a more equitable and evidence-based approach to juvenile justice.

Your Committee has amended this measure by:

- (1) Clarifying the prohibitions on the assessment of costs:
 - (A) Against a minor who commits an offense of operating a vehicle under the influence of an intoxicant, habitually operating a vehicle under the influence of an intoxicant, or operating a vehicle after consuming a measurable amount of alcohol; and
 - (B) Incurred by the family courts for the detention, placement, care, or support and treatment of minors; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1028, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1028, S.D. 1, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



