

STAND. COM. REP. NO.

1763

Honolulu, Hawaii

, 2025

APR 02

RE: S.B. No. 1373
S.D. 2
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. 1373, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADMINISTRATIVE LICENSURE
ACTIONS AGAINST SEX OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Director of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate a license, registration, or certification if the person either committed an offense that would be punishable as an offense described under the sex offender registration laws or is required to register as a sex offender;
- (2) Provide a licensee, registrant, or certification holder with an opportunity for a hearing on the adverse action;
- (3) Specify that final orders of discipline are matters of public record; and
- (4) Prohibit the Director of Commerce and Consumer Affairs or licensing board, as appropriate, from restoring,

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renewing, or reinstating a license, registration, or certification in a case where the person has been required to register as a sex offender and the victim of the covered offense was a patient or client or a former patient or client.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Board of Dentistry; Board of Massage Therapy; Board of Psychology; Board of Nursing; Board of Naturopathic Medicine; Board of Physical Therapy; Hawaii Medical Board; Board of Optometry; Board of Barbering and Cosmetology; Board of Chiropractic; Board of Speech Pathology and Audiology; Hawai'i State Commission on the Status of Women; Honolulu Police Department; RAINN; Ohana Unity Party; Kingdom of the Hawaiian Islands; and one individual. Your Committee received comments on this measure from the Board of Acupuncture.

Your Committee finds that Hawaii's laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This measure authorizes the Department of Commerce and Consumer Affairs and its professional and vocational licensing boards, commissions, and programs to act more swiftly to safeguard clients and customers when a licensee is convicted of a crime that requires the licensee to register as a sex offender.

Your Committee has amended this measure by:

- (1) Specifying that the provisions of this measure also apply to permits issued by the Director of Commerce and Consumer Affairs or licensing board, as applicable, in the case of certain professions or vocations;
- (2) Specifying that the provisions of this measure apply to an application for the initial issuance of a license, registration, certification, or permit;
- (3) Clarifying one of the bases on which the Director or licensing board shall take action is when the person was convicted of an offense that would have been punishable as a sexual offense, rather than any offense, under the sex offender registration laws; and



- (4) 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. 1373, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1373, S.D. 2, H.D. 2.

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



DAVID A. TARNAS, Chair



