STAND. COM. REP. NO. 1256

Honolulu, Hawaii

MAR 14 , 2025

S.B. No. 307 RE:

> S.D. 2 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 Labor, to which was referred S.B. No. 307, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO RECORDINGS OF LAW ENFORCEMENT ACTIVITIES,"

begs leave to report as follows:

The purpose of this measure is to establish the right of a person to record law enforcement activities and a private right of action for any violation of the right to record law enforcement activities.

Your Committee received testimony in support of this measure from the Office of the Public Defender; League of Women Voters of Hawaii; ACLU Hawai'i; and Public First Law Center.

Your Committee finds that the First Amendment of the United States Constitution protects freedom of speech and expression and courts have determined that this includes the right to record police officers in public spaces so long as it does not interfere with the officer's duties and is done lawfully. Your Committee further finds that it is important to protect the right to record law enforcement activities, prevent infringements upon this right, and provide a remedy when this right is violated. Your Committee believes that this measure strikes an appropriate balance between

2025-2617 SB307 HD1 HSCR HMSO  an individual's right to record law enforcement activities and bring an action for any violation of this right with law enforcement's ability to carry out its duties.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; 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 S.B. No. 307, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 307, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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

JAKKSON D. SAYMA, Chair

## State of Hawaii House of Representatives The Thirty-third Legislature

HSCR 1256 MC

## **Record of Votes of the Committee on Labor**

Bill/Resolution No.: SB 307, SO2	Committe LAB,	e Referral: THA, FIN	Date		3/13/25
The committee is reconsidering its previous decision on the measure.					
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  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)	<u>K</u>			_
2. LEE, Mike (VC)	andre di periodi	<u> </u>			eall col co
3. GARRETT, Andrew T	akuva				
S. GARRETT, Andrew 1	akuya Tir ir iri		- <u>1</u> 1 2 2 3 1		
4. KAPELA, Jeanne	The life of the second	1			to Maria
5. KONG, Sam Satoru		X.			
PEUES OR A LIV					
6. REYES ODA, Julie		L.			
TOTAL (6)	)	6			
he recommendation is:  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					