Honolulu, Hawaii

February 6 , 2018

RE: H.B. No. 1851 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Education, to which was referred H.B. No. 1851 entitled:

"A BILL FOR AN ACT RELATING TO PORNOGRAPHY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Define "in loco parentis" for purposes of exemption under Hawaii's obscenity laws; and
- (2) Clarify that the offense of promoting pornography for minors does not apply to a person who acts within the person's capacity and scope of employment as a member of the staff of any school.

The Honolulu Police Department testified in support of this measure. The Department of Education provided comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2025; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1851, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1851, H.D. 1, and be referred to your Committee on Judiciary.

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

JUSTIN H. WOODSON, Chair

State of Hawaii House of Representatives The Twenty-ninth Legislature

Record of Votes of the Committee on Education

HB 1851	EDN, Jud	Date:	31 JAN	2018
☐ 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)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)				
2. KONG, Sam Satoru (VC)				
3. CREAGAN, Richard P.				
4. HASHEM, Mark J.			-	
5. ING, Kaniela			-	
6. LEARMONT, Lei R.				
7. McKELVEY, Angus L.K.			200	
8. OHNO, Takashi	· V			
9. ONISHI, Richard H.K.				
10. QUINLAN, Sean			-	
11. MATSUMOTO, Lauren Kealoh	ilani 🗸			
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TOTAL (11)	9			2
The 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				