

STAND. COM. REP. NO.

847

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 122  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 122, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RENTAL DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program, or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

Your Committee received testimony in support of this measure from the Office of the Governor, Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, LGBT Caucus of the Democratic Party of Hawaii, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and Aloha Independent Living Hawaii. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that low-income individuals, who are the most likely participants in housing assistance programs, experience extreme difficulty in finding affordable rentals in Hawaii and are often faced with discrimination based on their source of income. Your Committee further finds that discrimination against recipients of housing assistance programs



is prohibited in twelve states and the District of Columbia, as well as numerous cities and counties throughout the United States. Your Committee additionally finds that a prohibition against discrimination based on participation in a housing assistance program or requirements related to participation in a housing assistance program does not alter or restrict the standard industry practices to vet prospective renters.

Upon recommendation of the Hawaii Civil Rights Commission, your Committee has amended this measure by:

- (1) Removing from chapter 515, Hawaii Revised Statutes, the fair housing chapter, the prohibition against discrimination based on participation in a housing assistance program or requirements related to participation in housing assistance programs and instead placing the prohibition into a new chapter of the Hawaii Revised Statutes, outside of the jurisdiction of the Hawaii Civil Rights Commission;
- (2) Limiting the scope of the prohibition to discrimination based on participation in a government assistance program by amending the definition of "housing assistance program"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 122, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 122, S.D. 2.

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



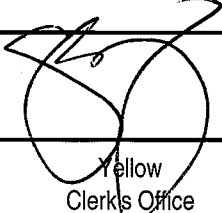
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KARL RHOADS, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 122, SD1	HOU, JDC	2/22/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
WAKAI, Glenn (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	4	∅	∅	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes