

STAND. COM. REP. NO.

329

Honolulu, Hawaii

FEB 14 2019

RE: S.B. No. 821
S.D. 1

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. 821 entitled:

"A BILL FOR AN ACT RELATING TO GENDER EQUITY,"

begs leave to report as follows:

The purpose and intent of this measure is to require equitable provision of baby diaper-changing accommodations in certain public establishments and facilities.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, LGBT Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, Domestic Violence Action Center, Planned Parenthood Votes Northwest and Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, Midwives Alliance of Hawaii, Save Medicaid Hawaii, Hawaii Women's Coalition, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Hawai'i Chapter of the National Association of Social Workers, and seven individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii.

Your Committee finds that full equality under the law for men and women is provided for in article I, section 3, of the Constitution of the State of Hawai'i. Your Committee further finds that equality under the law does not always guarantee equity in daily life. Your Committee additionally finds that while diaper-



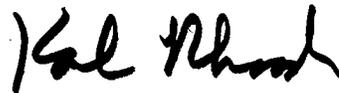
changing accommodations in women's restrooms are relatively common, diaper-changing accommodations in men's restrooms are significantly less so. Your Committee also finds that this disparity contributes to the calcification of gender roles and limits the full participation of women and men in civil society and family life. Your Committee further finds that the federal BABIES Act, public law 114-235, requires restrooms in new or newly renovated federally controlled buildings to be equipped with baby changing facilities. In addition, at the beginning of 2019, New York enacted a law that requires any new or renovated buildings that contain places of public accommodations include diaper changing tables that are accessible to persons regardless of their gender. This measure will establish similar requirements in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring existing establishments for public use that have not been substantially modified to provide baby diaper-changing accommodations by July 1, 2022; and
- (2) 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. 821, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 821, S.D. 1, and be referred to your Committees on Commerce, Consumer Protection, and Health and Ways and Means.

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



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 821	Committee Referral: JDC, CPH/WAM	Date: 2/7/19		
<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				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes