

STAND. COM. REP. NO.

853

Honolulu, Hawaii

MAR 05 , 2021

RE: H.B. No. 1088
H.D. 3

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1088, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO COSMETICS,"

begs leave to report as follows:

The purpose of this measure is to prohibit manufacturers from selling cosmetics in the State that are tested on animals in a cruel manner, beginning on January 1, 2024.

Your Committee received testimony in support of this measure from Cruelty Free International, Keiko Conservation, Animal Rights Hawai'i, Pono Advocacy, The Humane Society of the United States, The Body Shop, Ao Organics Hawai'i, O'o Hawaii, Pure Mana Hawaii, Hawaiian Humane Society, and three individuals. Your Committee received comments on this measure from the Department of Health and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that a global movement toward eliminating animal testing for cosmetics is trending. Modern cosmetic safety testing standards and practices no longer require the use of animals, as there are alternative testing methods, including the use of engineered human tissue and computer models, which are often cheaper and more accurate than animal testing. Your Committee further finds that this measure contains exceptions



for special safety concerns, human health problems, an absence of nonanimal testing methods, and other circumstances that provide an appropriate balance.

Your Committee notes the testimony from the Department of the Prosecuting Attorney of the City and County of Honolulu regarding how this measure identifies what constitutes "cruel manner" by referencing the offense of cruelty to animals in the first degree, and the difficulty of proving whether such an offense occurred. Your Committee further notes that the reference to the offense of cruelty to animals in the first degree may be misplaced as it only references a pet animal or equine animal.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the prohibition on selling cosmetics that have been tested on animals in a "cruel manner" is in reference to the offense of cruelty to animals in the second degree;
- (2) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (3) 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 H.B. No. 1088, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1088, H.D. 3.

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

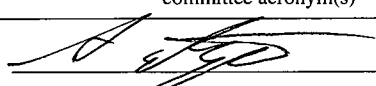

MARE M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSCR 853

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 1088, HD2	Committee Referral: AGR, CPC, JHA	Date: 2-24-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda				✓
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.	✓			
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane				✓
12. WARD, Gene		✓		
TOTAL (12)	9	1	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not 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				