STAND. COM. REP. NO. 766

Honolulu, Hawaii

MAR 0 5 2021

RE: S.B. No. 345 S.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committees on Judiciary and Commerce and Consumer Protection, to which was referred S.B. No. 345, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COSMETICS,"

beg leave to report as follows:

The purpose and intent of this measure is to prohibit the import for profit, sale, and offer for sale of any cosmetic in the State if the final product or any component of the final product was developed or manufactured using animal testing performed on or after January 1, 2022.

Your Committees received testimony in support of this measure from the Humane Society of the United States, Cruelty Free International, Personal Care Products Council, The Body Shop, Ao Organics Hawaii, O'o Hawaii, Pure Mana Hawaii, and three individuals. Your Committees received comments on this measure from the Department of Health and Office of Information Practices.

Your Committees find that animals have been used to test cosmetic products for over fifty years. Your Committees further find that this practice has been widely condemned as cruel and unnecessary, and that it is now banned in numerous jurisdictions, including California, Nevada, Illinois, Israel, Norway, India, Switzerland, and the European Union. This measure establishes a prohibition on the sale of cosmetic products in the State that have been tested on animals.

Your Committees have amended this measure by:

- (1)Requiring a manufacturer to disclose testing data for the prosecuting attorney's review upon the determination of a reasonable likelihood that a violation has been committed;
- Clarifying that any information disclosed by a manufacturer shall be treated as confidential and is only disclosed for enforcement purposes;
- Consolidating language providing exemptions to the (3) animal testing prohibition into a single statutory subsection:
- (4)Inserting an effective date of May 6, 2137, to encourage further discussion; and
- Making technical, nonsubstantive amendments for the (5) purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 345, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 345, S.D. 2.

> Respectfully submitted on behalf of the members of the Committees on Judiciary and Commerce and Consumer Protection,

KARL RHOADS, Chair

2021-1761 SSCR SMA.doc

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:						
SB 345 SD 1	AEN, JDC/CPN			02/24/2021						
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (W	R)	Nay	Excused				
RHOADS, Karl (C)		7				1				
KEOHOKALOLE, Jarrett (VC)		V								
ACASIO, Laura		V								
GABBARD, Mike		V			<u> </u>					
KIM, Donna Mercado		✓								
LEE, Chris		V								
FEVELLA, Kurt		J								
					 					
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TOTAL		7	0		0	0				
Recommendation: Adopted Not Adopted										
Chair's or Designee's Signature:										
Distribution: Original File with Committee Rep		ellow 's Office D	Pink rafting Age	ncy		lenrod e File Copy				

*Only one measure per Record of Votes

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Commerce and Consumer Protection CPN

Bill / Resolution No.:*	Committee Referral:			Date:						
5B345 5D1	AEN, JDC/CPN 02/24/2021									
The Committee is reconsidering its previous decision on this measure.										
If so, then the previous decision was to:										
The Recommendation is:										
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313										
Members		Aye	Aye (W	(R)	Nay	Excused				
BAKER, Rosalyn H. (C)		/								
CHANG, Stanley (VC)		1.								
MISALUCHA, Bennette E.										
NISHIHARA, Clarence K.		1.								
RIVIERE, Gil		/								
SAN BUENAVENTURA, Joy A.										
FEVELLA, Kurt										
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TOTAL		7		-						
Recommendation:	/									
Adopted Not Adopted										
Chair's or Designee's Signature: Claure k Zushihan										
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*Only one measure per Record of Votes