

Honolulu, Hawaii

FEB 04, 2022

RE: H.B. No. 1571

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.B. No. 1571 entitled:

"A BILL FOR AN ACT RELATING TO COVID-19 VACCINATION STATUS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make it a civil violation for a person to:
 - (A) Misrepresent to a business, church, nonprofit organization, or governmental entity the person's COVID-19 vaccination status;
 - (B) Falsify or alter a COVID-19 vaccination card, or purchase or use a falsified or altered COVID-19 vaccination card; and
 - (C) Sell, distribute, or manufacture a falsified or altered COVIDS-19 vaccination card; and
- (2) Establish fines.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Primary Care Association, and one individual. Your Committee received testimony in



opposition to this measure from numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that to combat the spread of the coronavirus disease 2019 (COVID-19), many states, including Hawaii, have implemented vaccination mandates that require proof of vaccination or a negative COVID-19 test prior to entering certain establishments. While this mandate was implemented to ensure the safety of citizens, some who elect not to get vaccinated or take a COVID-19 test have chosen to participate in a very dangerous and illegal activity by misrepresenting their vaccination status through the use of falsified or altered vaccination cards. Your Committee believes that clarifying the penalties relating to misrepresenting an individual's COVID-19 vaccination status will allow the State to better protect its residents and visitors.

Your Committee notes the testimony from the Department of the Attorney General requesting your Committee to change the civil violations into criminal offenses and testimony from the Hawai'i Primary Care Association requesting certain immunity to health care workers for mistakes made in good faith. Your Committee acknowledges these concerns but believes this to be the subject matter for your Committee on Judiciary & Hawaiian Affairs. As such, your Committee respectfully requests that should your Committee on Judiciary & Hawaiian Affairs hear this measure, they take into consideration the two requested amendments.

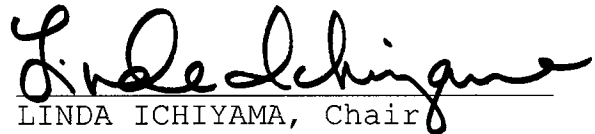
Your Committee has amended this measure by:

- (1) Inserting the provisions of this measure in Session Law, rather than codifying it in chapter 325, Hawaii Revised Statutes;
- (2) Inserting a sunset date of June 30, 2023;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1571, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Pandemic &
Disaster Preparedness,


LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Pandemic & Disaster Preparedness

Bill/Resolution No.: HB1571	Committee Referral: PDR, JHA, FIN	Date: 2/1/22		
<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)				
PDP Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	✓			
2. ELI, Stacelynn K.M. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. McKELVEY, Angus L.K.	✓			
5. MIZUNO, John M.	✓			
6. WILDBERGER, Tina	✓			
7. WOODSON, Justin H.	✓			
8. YAMASHITA, Kyle T.	✓			
9. WARD, Gene		✓		
TOTAL (9)	8	1	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				