

Honolulu, Hawaii  
**FEB 15**, 2022

RE: H.B. No. 1571  
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1571, H.D. 1, 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 make it a civil violation for a person to intentionally, knowingly, or negligently:

- (1) Misrepresent the person's COVID-19 vaccination status to a business, church, nonprofit organization, or governmental entity;
- (2) Falsify, alter, or purchase falsified or altered COVID-19 vaccination documents for personal use;
- (3) Use a falsified or altered COVID-19 vaccination card; or
- (4) Sell, distribute, or manufacture a falsified or altered COVID-19 vaccination card for use by others.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Primary Care Association, and Hawaii Immunization Coalition. Your Committee received testimony in opposition to this measure from one member of the Kaua'i County Council, Honolulu County Republican Party, ShakaMaps



LLC, HiKai Freedom Hui, and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that the State and its residents, businesses, and health care professionals rely on accurate COVID-19 vaccination information to ensure compliance with health and safety requirements. The increased use of falsified vaccination verification documents in the State jeopardizes public health and safety and economic stability. Your Committee believes that persons who use or manufacture falsified vaccination verification documents should be held criminally responsible for their actions.

Accordingly, your Committee has amended this measure by amending the civil violation to instead establish the criminal offense of falsified COVID-19 vaccination status, which prohibits a person from intentionally, knowingly, or recklessly:

- (1) Providing false information regarding the person's or another person's COVID-19 vaccination status to a business, nonprofit organization, or governmental entity;
- (2) Uploading, providing, presenting, uttering, or otherwise using falsified verification of the person's or another person's COVID-19 vaccination status; and
- (3) Manufacturing, distributing, disseminating, issuing, selling, offering for sale, importing, or offering to import into this State falsified verification of COVID-19 vaccination status or a blank or incomplete COVID-19 vaccination status verification document or code under circumstances that would lead a reasonable person to believe that the blank or incomplete verification document or code would be used to create a falsified verification.

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. 1571, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1571, H.D. 2.



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



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MARK M. NAKASHIMA, Chair



H SR 385-22

**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

Bill/Resolution No.: <span style="font-size: 18pt; font-weight: bold;">HB 1571, HD 1</span>	Committee Referral: <span style="font-size: 18pt; font-weight: bold;">PDP, JHA, FIN</span>	Date: <span style="font-size: 18pt; font-weight: bold;">2-10-22</span>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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	✓			
<b>TOTAL (12)</b>	10	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee            Duplicate (Yellow) – Chief Clerk's Office            Duplicate (Pink) – HMSO				