

Honolulu, Hawaii

APR 28 2022

RE: S.B. No. 3329  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3329, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC PARTICIPATION IN GOVERNMENT, "

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place

Your Committee on Conference finds that the enactment in 2002 of Hawaii's Citizen Participation in Government Act was intended to promote the rights of citizens to participate in government and to protect citizens from the chilling effect of retributive strategic lawsuits against public participation, or SLAPP suits. Your Committee on Conference further finds that, due to narrow and confusing provisions under the Act, courts often decline to apply



its procedural protections. Your Committee on Conference additionally finds that this measure modernizes the State's anti-SLAPP laws by adopting the Uniform Public Expression Protection Act, which establishes procedural protections for all parties and clearer instructions for courts to fairly and expeditiously dispose of SLAPP claims.


Your Committee on Conference has amended this measure by changing its effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3329, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3329, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ANGUS L.K. MCKELVEY  
Co-Chair



KARL RHOADS  
Chair




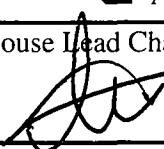
MARK M. NAKASHIMA  
Co-Chair



TINA WILDBERGER  
Co-Chair



# Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 3329, SD 1, HD 2</b>					Date/Time: <b>4/25/22 10:29 am</b>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
LEE, Chris	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
FEVELLA, Kurt	✓				WILDBERGER, Tina, Co-Chr.	✓			
					MATAYOSHI, Scot Z.	✓			
					WARD, Gene	✓			
TOTAL	3	0	0	0	TOTAL	5	0	0	0
A = Aye		WR = Aye with Reservations		N = Nay		E = Excused			
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
<b>Distribution:</b> <div style="display: flex; justify-content: space-between; padding: 0;"> <div style="text-align: center;"> <b>Original</b> File with Conference Committee Report         </div> <div style="text-align: center;"> <b>Yellow</b> House Clerk's Office         </div> <div style="text-align: center;"> <b>Pink</b> Senate Clerk's Office         </div> <div style="text-align: center;"> <b>Goldenrod</b> Drafting Agency         </div> </div>									