

Honolulu, Hawaii

MAR 2:4

, 2023

S.B. No. 384 RE:

> S.D. 1 H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 384, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ACCESS FOR DISABLED PERSONS," begs leave to report as follows:

The purpose of this measure is to:

- Authorize the counties to adopt ordinances for the enforcement of design and construction requirements for parking spaces for persons with disabilities required under the Americans with Disabilities Act of 1990 and any state laws or administrative rules; and
- Authorize officials appointed by the counties to enter (2) the property of a place of public accommodation to enforce violations of county ordinances.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, and two individuals.

Your Committee finds that although state law imposes a statutory penalty on private entities who fail to comply with

2023-2792 SB384 HD2 HSCR HMSO state or federal regulations regarding the provision of parking spaces reserved for persons with disabilities, the law does not designate a government authority to impose or collect a penalty for noncompliance.

Your Committee has amended this measure by:

- (1) Deleting references to the Americans with Disabilities Act of 1990; and
- (2) 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 S.B. No. 384, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 384, S.D. 1, H.D. 2.

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

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-second Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

| Bill/Resolution No.: | Committee Referral: | Dat | e: | |
|---|---------------------|--|--|---|
| SB 384.501, HD | T, TJH | HA, FIN | 3/21/202 | .3 |
| The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| JHA Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. TARNAS, David A. (C) | | | | |
| | | | | 721 46 ,21 7,245 |
| 2. TAKAYAMA, Gregg (VC) | | | , and the second | A INTERNET |
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| 3. GANADEN, Sonny | | Solar Wolfer, Manuel L. | · · · · · · · · · · · · · · · · · · · | |
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| 4. HOLT, Daniel | | | | |
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| 5. HASHIMOTO, Troy N. | | | | |
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| 6. ICHIYAMA, Linda | | 19 19 19 19 19 19 19 19 19 19 19 19 19 1 | | |
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| 7. ILAGAN, Greggor | | 334-41 | | 792-1104-11-11-11-11-11-11-11-11-11-11-11-11-11 |
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| 8. KONG, Sam Satoru | | | | |
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| 9. MIZUNO, John M. | | | | |
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| 10. SOUZA, Kanani | | | | |
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| TOTAL (10) | 10 | - | _ | |
| The recommendation is: 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 | | | | |