

STAND. COM. REP. NO. 2966

Honolulu, Hawaii

MAR 01 2024

RE: S.B. No. 2591  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2591, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BURIAL SITES,"

begs leave to report as follows:

The purpose and intent of this measure is to impose a fine of \$1,000 on any private landowner who:

- (1) Fails to disclose or record the existence of burial sites or archaeological sites on their property to the Bureau of Conveyances that the landlord knew or should have known of; or
- (2) Fails to record their property with the Hawaii Register of Historic Places prior to or concurrent with a real estate transaction when they knew or should have known that an obligation existed.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Malama Mauka, and one individual.

Your Committee finds that it is important for the State to encourage property owners to allow access to their lands to identify burial sites and to carry out cultural practices relating to burial sites. Your Committee further finds that it is crucial



to stress that private landowners be accountable for these sites. This measure will preserve and guard burial sites by instituting fines on private property owners that fail to disclose and record these historical sites.

Your Committee has amended this measure by:

- (1) Deleting language that would have imposed a fine of \$1,000 on any private landowner who fails to record their property with the Hawaii Register of Historic Places prior to or concurrent with a real estate transaction when they knew or should have known that an obligation existed;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2591, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2591, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2591 SD1	HWN / WTV, JDC	02 / 28 / 24

The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     
  Pass, with amendments 2311     
 Hold 2310     
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)				✓
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
<b>TOTAL</b>	3	0	0	2

Recommendation:  Adopted       Not Adopted

Chair's or Designee's Signature: 

Distribution:      Original      Yellow      Pink      Goldenrod

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**\*Only one measure per Record of Votes**