

STAND. COM. REP. NO. **2767**

Honolulu, Hawaii

FEB 29 2024

RE: S.B. No. 2683
S.D. 1

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. 2683 entitled:

"A BILL FOR AN ACT RELATING TO DEFAMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to protect individuals who make claims of sexual misconduct from defamation lawsuits unless the claims were proven to be made with malice.

Your Committee received testimony in support of this measure from Hawai'i Women Lawyers, American Association of University Women of Hawaii, and one individual.

Your Committee received comments on this measure from the Hawai'i Civil Rights Commission and one individual.

Your Committee finds that defamation lawsuits are sometimes brought against individuals who are making truthful claims about sexual misconduct, which can be used to silence victims. The threat of lawsuits may negatively impact victims and good-faith reporters attempting to report sexual misconduct. This measure will create safer communities in the State by providing additional protections to individuals who make truthful claims about sexual misconduct.



Your Committee has amended this measure by:

- (1) Deleting language that would have made a protected communication made by an individual, without malice, immune from any defamation action; and
- (2) Inserting language preventing an individual from being liable in damages in any defamation action for making a protected communication without malice.

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. 2683, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2683, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



