STAND. COM. REP. NO. 2426

Honolulu, Hawaii

FEB 1 5 2024

RE: S.B. No. 3351 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. 3351 entitled:

"A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 5 OF THE HAWAII CONSTITUTION RELATING TO DUE PROCESS AND EQUAL PROTECTION,"

begs leave to report as follows:

The purpose and intent of this measure is to propose a constitutional amendment to prohibit discrimination against a person because of ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, and pregnancy outcomes.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Democratic Party of Hawai'i, ACLU of Hawai'i, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, Indivisible Hawaii, AAUW of Hawaii, and nine individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Hawai'i State Constitution reflects the unique history and cultural heritage of the State, for example by establishing protections for native Hawaiians, the environment and natural resources, and public wellness. However,

your Committee believes that the Hawai'i State Constitution could be strengthened by adding an equal rights amendment to prohibit discrimination against ethnicity, national origin, age, disability, or sex. This measure will reaffirm the State's commitment to equality for all people in the State.

Your Committee has amended this measure by 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. 3351, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3351, S.D. 1, and be referred to your Committee on Ways and Means.

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

KARL RHOADS, Chair

The Senate Thirty-Second Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee	Referral:	Da	te:	
SB 3351	JDC, WAM 02/09/24			t	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
GABBARD, Mike (VC)					
ELEFANTE, Brandon J.C.					
SAN BUENAVENTURA, Joy A	١.				
AWA, Brenton					
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TOTAL		3			2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes