

STAND. COM. REP. NO.

1507

Honolulu, Hawaii

MAR 24 , 2023

RE: S.B. No. 389
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. 389, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EQUITY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require all places of public accommodation constructed after December 31, 2023, and state building construction projects bid after June 30, 2024, to provide one or more universal changing accommodations at each family restroom; provided that state building construction projects shall only be required to provide universal changing accommodations where feasible and cost effective;
- (2) Provide for exemptions for hardship;
- (3) Make a violation of the universal changing accommodations requirement an unlawful discriminatory practice; and
- (4) Create a private cause of action for a violation, with defined remedies.

2023-2802 SB389 HD2 HSCR HMSO



Your Committee received testimony in support of this measure from the Hawai'i State Public Library System, State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, Epilepsy Foundation of Hawaii, Hawai'i Family Caregiver Coalition, and five individuals. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that this measure will improve access to public spaces, which will allow people with disabilities to more fully participate in daily activities.

Your Committee has amended this measure by:

- (1) Adding a severability clause;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) 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. 389, 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. 389, S.D. 1, H.D. 2.

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



DAVID A. TARNAS, Chair



