STAND. COM. REP. NO. 660 -24

Honolulu, Hawaii FEB 29 / ²⁰²⁴

RE: H.B. No. 1869 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1869 entitled:

"A BILL FOR AN ACT RELATING TO UNMANNED AIRCRAFT,"

begs leave to report as follows:

The purpose of this measure is to establish the felony offenses of misuse of unmanned aircraft in the first, second, and third degrees.

Your Committee received testimony in support of this measure from the Department of Corrections and Rehabilitation and Department of the Prosecuting Attorney of the City and County of Honolulu. Your Committee received comments on this measure from one individual.

Your Committee finds that the use of unmanned aircraft systems, or "drones", without clear legal authority creates uncertainty for citizens and government agencies throughout Hawaii. More specifically, drones present a substantial privacy risk. While this rapidly changing technology has positive uses in public safety, it remains important to uphold and protect the privacy rights of individuals and their freedom from unwarranted surveillance that can result from the misuse of drone technology.

Your Committee has amended this measure by:

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- Clarifying that a person commits the offense of misuse of unmanned aircraft in the first degree if they intentionally or knowingly use an unmanned aircraft to attempt to transport and introduce contraband, drugs, or dangerous instruments into a prison;
- (2) Exempting Adult Corrections Officers and Correctional Workers acting within the course and scope of their duties or pursuant to a government contract from certain provisions of this measure;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) 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 H.B. No. 1869, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1869, H.D. 1, and be placed on the calendar for Third Reading.

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

DAVID A. TARNAS, Chair

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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB1869	Committee Referral: JHA	erral: Date: 2 - 2 - 2 - 2 -		
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass with amendments (HD) 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)	/	2		
2. TAKAYAMA, Gregg (VC)				
3. EVSLIN, Luke A.	/			
4. GANADEN, Sonny	/			
5. HOLT, Daniel				
6. ICHIYAMA, Linda				/
7. ILAGAN, Greggor				
8. KONG, Sam Satoru				
8. KONG, Sam Satoru				
9. MIYAKE, Tyson K.				
10. SOUZA, Kanani				/
TOTAL (10)	1	_	-	3
The recommendation is: Adopted If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				