

STAND. COM. REP. NO. 1175

Honolulu, Hawaii

MAR 19 2025

RE: H.B. No. 874
H.D. 3
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred H.B. No. 874, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PERFORMERS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish that for a minor in theatrical employment with a gross income of at least \$5,000 on a project or \$20,000 in a calendar year:
 - (A) A parent or legal guardian of the minor is required to establish a trust account for the minor with an independent third-party trustee; and
 - (B) The employer of the minor is required to deposit a portion of the minor's earnings into the trust account until the minor becomes an adult; and
- (2) Make misappropriation or fraudulent use of funds within the trust account a breach of fiduciary duty subject to penalties.

Your Committee received testimony in support of this measure from the SAG-AFTRA Hawaii Local; Pride at Work-Hawai'i; Hawaii



State AFL-CIO; Hawai'i Nurses' Association-OPEIU Local 50, AFL-CIO; and IATSE Local 665.

Your Committee finds that the rise of social media and widespread use of the Internet over the last decade has created more financial opportunities for many individuals, including child performers and their parents, in digital entertainment and advertising. Your Committee also finds that family influencers and vloggers have become increasingly popular. Children featured in this type of content are susceptible to certain risks associated with a lack of transparency and accountability, especially relating to their compensation for that work, making it difficult to ensure their protection. This measure provides financial protection for children in theatrical employment, including the creation of digital content, by requiring a portion of the child's income to be placed in a trust account and made available when the child becomes a legal adult. Accordingly, this measure will help protect child performers from financial exploitation and contribute to their financial security.

Your Committee has amended this measure by:

- (1) Inserting language requiring the Department of Labor and Industrial Relations to adopt rules for its Wage Standards Division to carry out the purposes of this measure;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; 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 Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 874, H.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 874, H.D. 3, S.D. 1, and be referred to your Committees on Judiciary and Commerce and Consumer Protection.



Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,


HENRY J.C. AQUINO, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 874, HD 3</i>	<i>LBT, JDL/CPN</i>	<i>3/12/25</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	<i>x</i>			
LEE, Chris (VC)	<i>r</i>			
IHARA, Jr., Les	<i>p</i>			
MORIWAKI, Sharon Y.				<i>x</i>
FEVELLA, Kurt	<i>x</i>			
TOTAL	<i>4</i>			<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes