

STAND. COM. REP. NO.

1749

Honolulu, Hawaii

, 2025

APR 02

RE: S.B. No. 116
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 116, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION,"

begs leave to report as follows:

The purpose of this measure is to provide for civil remedies for any person who is injured by discriminatory reporting to a law enforcement officer.

Your Committee received testimony in support of this measure from the Department of Law Enforcement; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; Hawai'i Civil Rights Commission; Hawaii State Commission on the Status of Women; Democratic Party of Hawai'i; Pride at Work Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Lambda Law Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaii Patriot Republicans and numerous individuals.

The Committee finds that while public safety benefits from citizen reports of criminal activity, misuse of law enforcement to target individuals based on protected characteristics is a growing concern. This measure provides a civil remedy for those harmed by discriminatory reporting, ensuring accountability and deterrence.

2025-2538 SB116 HD1 HSCR HMSO



Your Committee has amended this measure by:

- (1) Including gender expression among the classes protected from discriminatory reporting;
- (2) Codifying the requirement that the Department of Law Enforcement, in consultation with the Hawaii Civil Rights Commission, provide guidance to the public on the discriminatory reporting enacted by this measure;
- (3) Adding "place of birth" as a protected class to the purpose and intent provision of the Hawaii Civil Rights Commission laws; 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 S.B. No. 116, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 116, S.D. 2, 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



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB116 SD2	Committee Referral: JHA, PHH JT	Date: 3/11/25
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle				✓
5. HASHEM, Mark J.	✓			
6. KAHALOA, Kirstin	✓			
7. PERRUSO, Amy A.	✓			
8. TAKAYAMA, Gregg	✓			
9. TODD, Chris	✓			
10. GARCIA, Diamond			✓	
11. SHIMIZU, Garner M.			✓	
TOTAL (11)	8	0	2	1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
 committee acronym(s)

Vice Chair's or designee's signature: _____

Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO