

STAND. COM. REP. NO.

140

Honolulu, Hawaii

FEB 13 2017

RE: S.B. No. 979

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 979 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES IN  
PUBLIC ACCOMMODATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to remove the  
requirement of a conspiracy of two or more persons as an element  
of prohibited discriminatory practices in places of public  
accommodation.

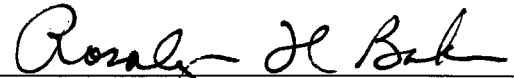
Your Committee received testimony in support of this measure  
from the Hawai'i Civil Rights Commission.

Your Committee finds that under existing law, it is not a  
violation for a place of public accommodation, or a person acting  
alone, to: engage in retaliation for opposition to  
discrimination; aid, abet, incite, or coerce discriminatory  
practices; or willfully obstruct or prevent compliance with the  
public accommodations law, in the absence of a conspiracy of two  
or more persons. This measure removes that conspiracy  
requirement, which will ensure that the public is protected  
against retaliation for opposing discriminatory in places of  
public accommodation and that anyone who aids, abets, incites, or  
coerces discriminatory practices or obstructs or prevents  
compliance with the public accommodations law can be held  
responsible.



As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 979 and recommends that it pass Second Reading and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



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ROSALYN H. BAKER, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB979	CPH, JDL	2/7/17		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
KIDANI, Michelle N.				/
RUDERMAN, Russell E.	/			
<b>TOTAL</b>	<b>5</b>			<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>Clarence K. Nishihara</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

Revised: 12/2/16