Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii  

Sir:  

Your Committee on Judiciary, to which was referred S.B. No. 635 entitled:  

"A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE IX, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII,"  

begs leave to report as follows:  

The purpose and intent of this measure is to propose an amendment to article IX, section 5, of the Constitution of the State of Hawaii, to require the State to assure that each resident of the State has access to housing, subject to standards and criteria to be provided by the Legislature.  

Your Committee received testimony in support of this measure from Hawaiian Community Assets, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from one individual.  

Your Committee finds that the price of housing and the lack of affordable housing have been persistent and ongoing problems in Hawaii. Your Committee further finds that there are many ways in which the State can contribute to the development of affordable and accessible housing. However, your Committee notes that establishing a constitutional right to the assurance of access to housing could have significant unintended consequences.
Accordingly, your Committee has amended this measure by:

(1) Reviving the purpose section to reflect the recent challenges faced by the State in providing affordable housing to Hawaii residents;

(2) Removing constitutional language establishing a right to assurance of access to housing for each resident of the State;

(3) Adding constitutional language requiring the Legislature to consider the effect of its actions on the price of housing in the State; and

(4) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 635, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 635, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

Karl Rhoads, Chair
Bill / Resolution No.: SB 635
Committee Referral: JDC, WAM
Date: 2/7/19

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to:

The Recommendation is:
- [ ] Pass, unamended
- [ ] Pass, with amendments
- [X] Hold
- [ ] Recommit

<table>
<thead>
<tr>
<th>Members</th>
<th>Aye</th>
<th>Aye (WR)</th>
<th>Nay</th>
<th>Excused</th>
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<td>RHOADS, Karl (C)</td>
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<td>WAKAI, Glenn (VC)</td>
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<td>GABBARD, Mike</td>
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<td>KIM, Donna Mercado</td>
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<td>FEVELLA, Kurt</td>
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TOTAL
- [ ] Aye
- [ ] Aye (WR)
- [ ] Nay
- [ ] Excused

Recommendation: [ ] Adopted
- [ ] Not Adopted

Chair's or Designee's Signature:

Distribution:
- [ ] Original
- [ ] Yellow
- [ ] Pink
- [ ] Goldenrod

*Only one measure per Record of Votes*