

Honolulu, Hawaii

FEB 09 2021

RE: S.B. No. 206
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 206 entitled:

"A BILL FOR AN ACT RELATING TO RENTAL DISCRIMINATION,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit discrimination, including in advertisements for available real property, based on participation in a housing assistance program or requirements related to participation in housing assistance programs, in real estate transactions and requirements.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Governor's Coordinator on Homelessness, Hawai'i State Commission on the Status of Women, Hawai'i Civil Rights Commission, American Civil Liberties Union of Hawai'i, Rainbow Family 808, LGBT Caucus of the Democratic Party of Hawaii, Imua Alliance, and two individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that homelessness remains one of the most pressing challenges facing Hawaii, due in large part to the high cost of living and lack of affordable housing in the State. As a result of the pandemic-related economic downturn, it is anticipated that the number of homeless individuals will significantly increase at a far greater magnitude than what



followed the Great Recession. The Section 8 Housing Choice Voucher Program (Section 8) is one of the federal government's primary programs for assisting very low-income families, the elderly, and the disabled to have access to decent, safe, and sanitary housing in the private market.

Despite the Section 8 program currently bringing over \$38,000,000 into the State every year (primarily on Oahu), many landlords advertise "No Section 8" on rental listings, or refuse to consider Section 8 participants, simply because they assume that they will not be good tenants. However, the Section 8 program is a vitally important part of the State's efforts in addressing the affordable housing needs of low-income families, all of whom must first undergo criminal background, sex offender, and Homeland Security screenings before being given a voucher to pursue a rental unit. Because there is no general federal law that prohibits discriminating against a tenant based on "source of income", including Section 8 vouchers, this measure is critically necessary to break down this significant barrier to accessing affordable housing and to improve geographic mobility for low-income families.

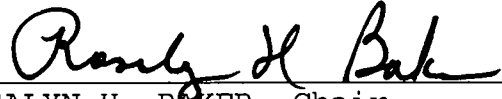
Your Committee has amended this measure by:

- (1) Amending section 1 to further clarify this measure's importance;
- (2) Increasing the maximum penalty from \$500 to \$5,000; 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 206, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 206, S.D. 1, and be referred to your Committee on Judiciary.



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



ROSALYN H. BAKER, Chair



