

Honolulu, Hawaii

MAR 02 2023

RE: S.B. No. 739

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 739 entitled:

"A BILL FOR AN ACT RELATING TO DESECRATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Reduce the requisite state of mind for the criminal offense of desecration from "intentionally" to "knowingly"; and
- (2) Simplify the definition of "desecrate".

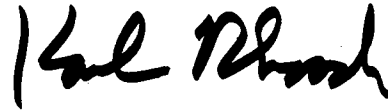
Your Committee received testimony in support of this measure from the Council for Native Hawaiian Advancement.

Your Committee finds that the historic and cultural heritage of the State is among its important assets. Tourism benefits the State through generation of economic activity; however, there is a need to ensure that visitors and residents treat cultural and historic resources with care and respect, and that historic and cultural sites are protected from abuse, vandalism, and desecration. Therefore, your Committee finds that this measure will increase protection of the State's assets and facilitate the enforcement of the prohibition of acts of desecration at sites that possess significant cultural and historic value.



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. 739 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

**Record of Votes
 Committee on Judiciary
 JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 739	JDC	2/10/23

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

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			

TOTAL	5	—	—	—
--------------	---	---	---	---

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes