

Honolulu, Hawaii

March 2, 2006

RE: H.B. No. 2535

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and  
Judiciary, to which was referred H.B. No. 2535 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY  
RIGHTS,"

beg leave to report as follows:

The purpose of this bill is to deter Internet fraud by making  
the intentional use of a computer to obtain control over and to  
steal a victim's property punishable as:

- (1) Either Theft in the First Degree or Theft in the Second  
Degree, whichever applies; and
- (2) Use of a Computer in the Commission of a Separate Crime  
(UCCSC).

The Department of the Prosecuting Attorney of the City and  
County of Honolulu and Honolulu Police Department supported this  
bill. The Office of the Public Defender commented on this bill.

Your Committees find that Hawaii has a growing problem with  
the use of computers to commit theft. In 2005 the Federal Trade  
Commission reported that Hawaii ranked fifth in the nation in  
Internet fraud complaints per capita.

UCCSC carries a penalty one class or grade above the offense  
facilitated by the use of a computer. Thus, in any theft where  
the property taken exceeds \$300 would be punishable as a class B



felony under UCCSC. The use of a computer to steal property valued in excess of \$20,000, would be punishable as a class A felony under UCCSC.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2535 and recommend that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,



SYLVIA LUKE, Chair

  
ROBERT N. HERKES, Chair



