

STAND. COM. REP. NO.

1224

Honolulu, Hawaii

MAR 23 2007

RE: H.B. No. 1328  
H.D. 2  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and  
Affordable Housing, to which was referred H.B. No. 1328, H.D. 2,  
entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT  
OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to amend the sentencing of  
repeat offender provisions in the penal code to include insurance  
fraud offenses found in chapters 386, 431, 432, and 432D, Hawaii  
Revised Statutes (HRS).

Your Committee received testimony in support of this measure  
from the Department of Commerce and Consumer Affairs and the  
Department of the Attorney General.

Your Committee finds that the intent of this measure is to  
enhance criminal penalties for persons who commit insurance fraud  
by including felony insurance fraud as one of the felony  
violations that can increase the sentence of a repeat offender.

Specifically, this measure includes workers' compensation,  
private health insurance, motor vehicle insurance, mutual benefit  
societies, and health maintenance organization fraud penalty  
statutes among the list of felonies that triggers the enhanced  
sentencing of repeat offenders in section 706-606.5, HRS.



Your Committee has amended this measure to make technical, nonsubstantive changes for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1328, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1328, H.D. 2, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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

  
BRIAN T. TANIGUCHI, Chair



