

STAND. COM. REP. NO.

606

Honolulu, Hawaii

FEB 16 2007

RE: S.B. No. 1400  
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 Human Services and Public Housing, to which was referred S.B. No. 1400 entitled:

"A BILL FOR AN ACT RELATING TO FINANCIAL ABUSE,"

begs leave to report as follows:

The purpose of this measure is to require financial institutions and licensed escrow depositories to report suspected instances of financial abuse directed towards, targeting, or committed against an elder or a dependent adult to a local law enforcement agency.

The Department of Commerce and Consumer Affairs and one individual submitted testimony in support of this measure. Hawaii Financial Services Association and Hawaii Credit Union League submitted testimony in support of the intent of this measure. First Hawaiian Bank, and the Escrow Association of Hawaii submitted comments.

Your Committee finds that reported instances of financial abuse of elders and dependent adults have become increasingly widespread. State-regulated financial institutions can be instrumental in curtailing this disturbing trend by promptly reporting suspected incidents of financial abuse to local law enforcement agencies.

Your Committee has amended this measure by:



- (1) Removing licensed Hawaii escrow depositories from the reporting requirements of this measure, as escrow depositories are not included in the federal law's definition of financial institutions;
- (2) Adding language to provide immunity from liability for any person who makes a report under the provisions of this measure in good faith and with the reasonable belief that action is warranted; and
- (3) Making technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services and Public Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1400, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1400, S.D. 1, and be referred to the Committees on Commerce, Consumer Protection, and Affordable Housing and Judiciary and Labor.


Respectfully submitted on  
behalf of the members of the  
Committee on Human Services and  
Public Housing,

  
SUZANNE CHUN OAKLAND, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Human Services and Public Housing**  
**HSP**

Bill / Resolution No.:* <b>SB 1400</b>	Committee Referral: <b>HSP, CPH/JDL</b>	Date: <b>2-15-07</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
SAKAMOTO, Norman				✓
HEMMINGS, Fred	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes